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Earl Warren Oral History Project

THE SHIPBOARD MURDER CASE:

LABOR, RADICALISM, AND EARL WARREN, 1936-1941

Ernest G. Ramsay:

Reminiscences of a Defendant in the
Shipboard Murder Case

Aubrey Grossman:

A Defense Attorney Assesses the
King, Ramsay, Conner Case

Myron Harris:

A Defense Attorney Reminiscences

Herbert Resner:

The Recollections of the Attorney
for Frank Conner

Miriam Dinkin Johnson:

The King-Ramsay-Conner Defense
Committee: 1938-1941

Peter Odeen:

Captain of the Point Lobos

Interviews Conducted by
Miriam Feingold Stein

Copy no. 1



District Attorney Earl Warren examines Dr. O.D. Hamlin, Alameda County Medical Examiner, at the King-Ramsay-Conner trial on the nature of the wounds suffered by George Alberts, the murdered chief engineer of the Point Lobos. Behind them hangs a fourteen-foot long map of the deck of the ship.



The Swayne & Hoyt, Ltd. steamer Point Lobos

PREFACE

The Earl Warren Oral History Project, a special project of the Regional Oral History Office, was inaugurated in 1969 to produce tape-recorded interviews with persons prominent in the arenas of politics, governmental administration, and criminal justice during the Warren Era in California. Focusing on the years 1925-1953, the interviews were designed not only to document the life of Chief Justice Warren but to gain new information on the social and political changes of a state in the throes of a depression, then a war, then a postwar boom.

An effort was made to document the most significant events and trends by interviews with key participants who spoke from diverse vantage points. Most were queried on the one or two topics in which they were primarily involved; a few interviewees with special continuity and breadth of experience were asked to discuss a multiplicity of subjects. While the cut-off date of the period studied was October 1953, Earl Warren's departure for the United States Supreme Court, there was no attempt to end an interview perfunctorily when the narrator's account had to go beyond that date in order to complete the topic.

The interviews have stimulated the deposit of Warreniana in the form of papers from friends, aides, and the opposition; government documents; old movie newsreels; video tapes; and photographs. This Earl Warren collection is being added to The Bancroft Library's extensive holdings on twentieth century California politics and history.

The project has been financed by four outright grants from the National Endowment for the Humanities, a one year grant from the California State Legislature through the California Heritage Preservation Commission, and by gifts from local donors which were matched by the Endowment. Contributors include the former law clerks of Chief Justice Earl Warren, the Cortez Society, many long-time supporters of "the Chief," and friends and colleagues of some of the major memoirists in the project. The Roscoe and Margaret Oakes Foundation and the San Francisco Foundation have jointly sponsored the Northern California Negro Political History Series, a unit of the Earl Warren Project.

Particular thanks are due the Friends of The Bancroft Library who were instrumental in raising local funds for matching, who served as custodian for all such funds, and who then supplemented from their own treasury all local contributions on a one-dollar-for-every-three dollars basis.

The Regional Oral History Office was established to tape record autobiographical interviews with persons prominent in the history of California and the West. The Office is under the administrative supervision of James D. Hart, Director of The Bancroft Library.

Amelia R. Fry, Director
Earl Warren Oral History Project

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EARL WARREN ORAL HISTORY PROJECT
(California, 1926-1953)

Interviews Completed - June 1976

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Merrell F. Small, The Office of the Governor Under Earl Warren. 1972.

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Volume II, III: California Water and Agricultural Labor. 1975. With introductions by Paul W. Gates and George M. Foster

Multi-Interview Volumes

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Manford Martin and Ernest McMillan, On Methias Warren.

Perspectives on the Alameda County District Attorney's Office. With an introduction by Arthur H. Sherry

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Homer R. Spence, Attorney, Legislator, and Judge.

E.A. Daly, Alameda County Political Leader and Journalist.

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Albert E. Hederman, Jr., From Office Boy to Assistant District Attorney.

Lowell Jensen, Reflections of the Alameda County District Attorney.

James H. Oakley, Early Life of a Warren Assistant.

The Shipboard Murder Case: Labor, Radicalism, and Earl Warren, 1936-1941. 1976.

Ernest G. Ramsay, Reminiscences of a Defendant in the Shipboard Murder Case.

Aubrey Grossman, A Defense Attorney Assesses the King, Ramsay, Conner Case.

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Herbert Resner, The Recollections of the Attorney for Frank Conner.

Miriam Dinkin Johnson, The King, Ramsay, Conner Defense Committee, 1938-1941.

Peter Odeen, Captain of the Point Lobos.

Labor Looks at Earl Warren. 1970.

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Ernest H. Vernon, A Machinist's Recollections.

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Heman Stark, Juvenile Correctional Services and the Community.
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Murray Draper, Warren's 1946 Campaign in Northern California.
William S. Mailliard, Earl Warren in the Governor's Office.
Archibald M. Mull, Jr., Warren Fund-Raiser; Bar Association Leader.
Rollin Lee McNitt, A Democrat for Warren.

Volume II: In Process.

Volume III: In Process.

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Langdon Post, James Roosevelt's Northern California Campaign, 1950.

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Horace Albright, Earl Warren Job Hunting at the Legislature.
Irving and Jean Stone, Earl Warren's Friend and Biographer.
Betty Foot Henderson, Secretary to Two Warrens.
Benjamin H. Swig, Shared Social Concerns.

INTRODUCTION

For Alameda County District Attorney Earl Warren, and for old-time Californians who still remember him as a vigorous young prosecutor, the shipboard murder case in 1936 (also known as the King-Ramsay-Conner case) remains outstanding as the most controversial prosecution in his thirteen years as DA. Far from a simple murder case, it aroused outcries of frame-up on the one hand, and accusations about Communist goon squads on the other.

In the decade of the 1930s, the San Francisco Bay Area waterfront was the locus of major labor unrest. New Deal legislation encouraging labor organization sparked dramatic growth among maritime unions, which protested working conditions that had steadily deteriorated since the unions were routed in the early 1920s. The growing unrest culminated in the bloody 1934 longshoremen's strike, in which two men were killed. Maritime unions emerged from the strike considerably strengthened, but with several issues still unresolved.

To consolidate their position, West Coast waterfront unions organized the Maritime Federation of the Pacific, an umbrella organization through which maritime labor hoped to present a united front to employers. Harry Bridges, who had risen to prominence in the longshore union in the 1934 strike, played a pivotal role in federation affairs. Employers also consolidated their forces, and persistent tensions between the two groups resulted in a three-month-long strike in late 1936.

The period between 1934 and 1936 was peppered with sporadic outbreaks of spontaneous strikes and, in a few cases, outright violence. The shipboard murder was one such incident.

On March 22, 1936, Chief Engineer George Alberts was brutally beaten and stabbed to death in his stateroom aboard the Swayne & Hoyt steamer Point Lobos as it sat berthed at Encinal Terminals in Alameda, California. The chief engineer was known for his strict leadership and conservative views. After five months of intensive investigation, the Alameda County district attorney's office arrested four men for the murder: Earl King, Ernest Ramsay, Frank Conner, and George Wallace. A fifth, Ben Sakovitz, was indicted but never returned for trial. (Not apprehended until several years later in North Africa, Sakovitz managed to escape before arriving in the United States.)

All five were members of the Marine Firemen, Oilers, Watertenders and Wipers Association (MFOW), a small maritime union with about four thousand members based in San Francisco, whose members tended ships' engine rooms. The MFOW worked closely with Harry Bridges and the Maritime Federation. King was the union's new aggressive, militant president; Ramsay was a patrolman, or grievance adjuster; and Conner was the union's representative on the Point Lobos.

The prosecution's contention was that as a result of an overtime dispute, King and Ramsay dispatched a goon squad composed of Wallace and Sakovitz to the Point Lobos to teach the chief engineer a lesson, but that the two went too far and killed him. Conner, it was charged, directed the goon squad to Alberts's stateroom. The DA's office secured confessions from Wallace and Conner, and while Wallace repeated his story at the trial, Conner repudiated his statement, charging that it was extracted by third degree methods. Because Wallace turned "state's evidence," he was shunned by the labor movement and the defense committee, which did not include his name in the name of the case. Following the arrests Warren issued a statement characterizing the murder as "a paid assassin's job, and the basis of the plot was communistic."

The men were represented by a battery of prominent Bay Area left-wing and criminal attorneys, which included George Andersen and Aubrey Grossman for King, Myron Harris and William Older for Ramsay, and Henry Levinski (who withdrew early in the case) and Herbert Resner for Conner. Public Defender Willard Shea represented George Wallace. Additional attorneys joined the defense team for the appeals effort, including Joe Lacey, John Ehlen, George Olshausen, and Leo Friedman.

The case took more than three months to try, and the trial coincided with the 1936-1937 West Coast maritime strike. A jury of six retired men and six middle-aged housewives was selected from a panel that had been chosen by soliciting banks, businesses, and fraternal organizations for names.

It would later be charged that one of the jurors, Julia Vickerson, was having an affair at the time of the trial with Assistant DA Charles Wehr, who did much of the actual courtroom work, but on voir dire examination lied and said she hardly knew him. In 1939 Mrs. Vickerson filed a creditor's claim for over \$15,000 against the estate of Wehr, who had died a short time earlier. She alleged that in the period between March 1937 and March 1939 she had advanced him over \$15,000 in cash in unsecured loans, and that in 1935, before the trial, she had loaned him an additional unsecured \$8500. Wehr, she charged, had postponed repayment of the \$8500 because of the shipboard murder case, and had persuaded her to serve on the jury to ensure a guilty verdict so as to protect his job and hence the

source of income for the repayment of her loans. This matter was adjudicated by the California Supreme Court, but was eventually dismissed because of contradictory evidence, although doubt still remained in the minds of many associated with the case.

The men were found guilty of second degree murder and sentenced to twenty years at San Quentin Prison. The convictions were appealed to the California appellate courts, but both the district court of appeal and the state supreme court upheld the verdict.

Bay Area maritime labor, charging that the convictions were framed to discredit the waterfront unions during their strike, organized a defense committee which quickly gathered the support of labor unions nationwide. During the trial the committee organized then-unprecedented picket lines at the Alameda County courthouse, which were swelled by the ranks of striking maritime workers. Attention after the convictions turned to petition and letter-writing campaigns, mass meetings, and distribution of literature.

In part as a result of the pressure generated by the committee, California's New Deal governor, Culbert Olson, had King, Ramsay, and Conner paroled after they had served five years. George Wallace, because of his more central role in the murder, however, was not paroled. The parole sparked new controversy and precipitated an investigation by the California legislature's Fact-Finding Committee on Un-American Activities.

While the men were in San Quentin Prison the case became entangled in the federal government's first attempt to deport Australian-born Harry Bridges in 1939. King and Ramsay testified at the deportation hearing that Stanley Doyle, a special agent for the state of Oregon, who worked closely with the shipowners in investigating Communist subversion, had approached them in prison and offered them their freedom in exchange for signing false affidavits that Bridges was a Communist. They refused.

After prison King and Ramsay quietly returned to maritime work. Canadian-born Ramsay faced special difficulties because he had not filed final naturalization papers before his arrest. Only a pardon from California Governor Earl Warren saved him from deportation. Warren's decision to grant executive clemency came as the result of Ramsay's excellent rehabilitation record and the important national security function he was performing in helping to keep the Marine Firemen's Union free of subversive influences. Frank Conner, however, suffered a nervous breakdown after prison which eventually required permanent hospitalization. King died in 1964 and Conner in 1969.

This volume brings together interviews with six participants in the case. Ernest Ramsay, the only defendant still living, and now a port agent in New York City for the Marine Firemen's Union, describes his early union experiences, the 1934 strike, and his involvement in the case, and recalls the extensive efforts that finally won him a pardon from Governor Warren in 1953.

Three interviews follow with members of the team of defense attorneys: Aubrey Grossman, Myron Harris, and Herbert Resner. They describe the strategy and events of their courtroom battles, and Aubrey Grossman also comments on the 1939 Bridges deportation hearing, and the Julia Vickerson matter.

Miriam Dinkin Johnson served as secretary-treasurer of the King-Ramsay-Conner Defense Committee from 1938 to 1942. She describes in some detail the organization and functioning of the committee, its long, frustrating struggle to free the men, and the effects of prison on the men themselves.

The final interview is with Peter Odeen, who was captain of the Point Lobos at the time of Alberts's murder. In addition to recalling the events of March 22, 1936, he describes his own early adventures at sea, maritime working conditions in the 1930s, and the ultimate fate of the Point Lobos.

Additional information on the case is available in other volumes in the Earl Warren Project series. The three volumes entitled "Perspectives on the Alameda County District Attorney's Office" offer the reminiscences of several members of DA Warren's staff who worked on the case or could comment on it. These include Assistant District Attorney J. Frank Coakley, Chief Clerk Clarence Severin, and Inspector Lloyd Jester. The volumes also include the recollections of Alameda County Public Defender Willard Shea, who defended George Wallace. Single-volume interview with Arthur Sherry, then a deputy DA; Warren Olney III, who had also served as a deputy DA; and Oscar Jahnsen, then an inspector, add further detail and insights from the DA's perspective. Labor's view is briefly described in Germain Bulcke, "A Longshoreman's Observations" in the volume entitled "Labor Looks at Earl Warren." A thorough examination of the case is available in Miriam Feingold, "The King-Ramsay-Conner Case: Labor, Radicalism, and the Law in California, 1936-1941," unpublished Ph.D. dissertation, University of Wisconsin-Madison, 1976.

Two libraries house documents pertinent to the case. Files of the defense attorneys and the defense committee are in the Gladstein, Leonard, Patsey, and Andersen papers in The Bancroft Library. Unless otherwise noted, the documents referred to in these interviews are from this collection. Additional material relating to the defense committee and the MFOW, including most of the appeal briefs and a complete file of the Black Gang News, the MFOW newspaper from 1935 to 1937, is on file at the library at the international headquarters of the International Longshoremen's and Warehousemen's Union in San Francisco. The King-Ramsay-Conner Defense Committee pamphlets can all be found in this collection.

The ILWU library also holds an extensive collection of material relating to Harry Bridges's several deportation hearings, including the transcript of the 1939 hearing at which King and Ramsay testified. An entertaining account of these events can be found in Charles P. Larrowe, Harry Bridges: The Rise and Fall of Radical Labor in the United States (New York, 1972), which also provides excellent background information on maritime labor conditions in the 1930s.

Miriam Feingold Stein
Interviewer-Editor

7 April 1976
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Earl Warren Oral History Project

Ernest G. Ramsay

REMINISCENCES OF A DEFENDANT
IN THE SHIPBOARD MURDER CASE

An Interview Conducted by
Miriam Feingold



Three of the defendants King, Ramsey, Conner case in court. From left to right: Ernest Ramsey, Frank J. Conner, and Earl King.

TABLE OF CONTENTS -- Ernest G. Ramsay

INTERVIEW HISTORY	1
BACKGROUND	1
THE 1934 STRIKE AND THE MARITIME UNIONS	2
WORKING CONDITIONS: 1934-1936	5
OFFICIALS OF THE MFOW	9
THE SHIPBOARD MURDER	13
March 21 and 22, 1936	13
Aftermath and Arrests	17
In Jail	19
THE JULIA VICKERSON AFFAIR	21
AFTER PRISON	22
GOVERNOR OLSON AND THE PAROLE	26
THE HARRY BRIDGES DEPORTATION HEARING	29
THE PARDON	33
THE OTHER DEFENDANTS AFTER PRISON	38
Earl King	38
Frank Conner	40
APPENDIX I - Materials on Deposit in Bancroft Library	43
APPENDIX II - Notes on Conversation with Ernest G. Ramsay, December 27, 1972	44
INDEX	45

INTERVIEW HISTORY

Ernest G. Ramsay was interviewed by the Earl Warren Project of the Regional Oral History Office in order to record his recollections of the King-Ramsay-Conner case, and his impressions of the labor movement on the Bay Area waterfront in the 1930s.

Of the three maritime union officials who were catapulted into the public eye in the King-Ramsay-Conner case, only Mr. Ramsay is still living. It was indeed fortunate for the Earl Warren Project, and for scholars of labor history generally, that Mr. Ramsay agreed to tape record his reminiscences of events of thirty and forty years ago.

Interviewer: Miriam Feingold

Conduct of the

Interview:

A single morning-long interview was held on May 17, 1972 in Mr. Ramsay's office in Brooklyn, New York, where he is now business agent for the Marine Firemen's Union, the same union with which he was associated in 1936. Mr. Ramsay's spacious office is in the newly built union headquarters, several blocks from the Brooklyn docks. Hanging on the walls were paintings and photographs of ships illustrating the evolution of the shipping industry during the past fifty years.

Mr. Ramsay, a tall, heavy-set man whose once red hair is now almost gray, spoke in a relaxed and informal manner. He refreshed his recollections at several points during the interview by referring to his collection of newspaper clippings and his old union books. He was anxious to help the Earl Warren Project in any way possible; examples of this were his readiness to unearth old union minutes from basement files, and his offer to xerox the affidavit of J.E. Ferguson, now on deposit in The Bancroft Library.

A second session was held in December, 1972, at which Mr. Ramsay reviewed the edited transcript of the interview, and spoke about several points not raised in the interview. Since this session was not taped, notes on these recollections have been added to the interview as an appendix.

Editing:

Editing of the transcribed taped interview was done by the interviewer. Minor rearrangements of material were made to maintain continuity of the discussion without changing the informal and salty tone of the interview. As noted earlier, Mr. Ramsay carefully reviewed the edited text and added several comments.

**Narrative
Account of the
Interview:**

Mr. Ramsay's education and experiences at sea began early, he relates, when he quit school after seventh grade, longshored for a while, and finally went to sea.

This was a period of growing unrest among maritime workers which culminated in the Bay Area in the General Strike of 1934. Mr. Ramsay reminisces about his participation in the strike, and the subsequent election in which the firemen chose to be represented by the Marine Firemen, Oilers, Watertenders, and Wipers Association, an affiliate of the International Seamen's Union. He briefly describes the several unions involved in the complex and intensely active waterfront union organizing drive.

It was through spontaneous "job actions" in the period from 1934 to 1936 that the seamen's working conditions gradually improved, Mr. Ramsay relates. He compares conditions in the "glory holes" of ships in the 1930s with the comfortable accommodations enjoyed by seamen today. He also describes the changes within the union that Earl King helped effect, and how he himself came to be an officer in the union.

Turning to the shipboard murder case itself, Mr. Ramsay describes his amicable settling of an overtime dispute on the Point Lobos. He comments on several leading characters in the case, and relates how he was arrested in San Francisco by men from the Alameda County District Attorney's Office. Commenting on the questionable objectivity of one of the female jurors at the trial, Mrs. Julia Vickerson, Mr. Ramsay remembers observing winks and intimate glances passing between Mrs. Vickerson and Charles Wehr, the prosecuting attorney.

Convicted of second degree murder, King, Ramsay, and Conner were sentenced to from five years to life, but were released on parole after five years by Governor Culbert Olson. Mr. Ramsay reminisces about his release from prison and the adverse reactions to the parole in the press. After a brief period in business for himself, Mr. Ramsay relates, he came back to the MFOW as a dispatcher and has remained in the union ever since.

While in prison, King and Ramsay both played a role in the first Harry Bridges' deportation hearing. Mr. Ramsay describes how he and King testified at the hearing in Bridges' defense that they had been given vague promises of freedom by an undercover agent, in return for testifying to Bridges' alleged Communist affiliations. Both had refused the offer.

Since he was a Canadian citizen, Mr. Ramsay faced deportation after his release from prison. He describes how, with the help of a battery of attorneys and several maritime union officials, he was finally granted executive clemency by the governor of California who, ironically, was then Earl Warren. Signing the pardon was Warren's last act before leaving for Washington, D.C. to become Chief Justice. One of Mr. Ramsay's attorneys was Edward Ennis, who relates his involvement in the case in a separate interview with the Regional Oral History Office. Mr. Ramsay's and Mr. Ennis' recollections differ on several points.

Mr. Ramsay maintained friendships with both Earl King and Frank Conner after their release from prison. Both men returned to maritime union work, and Mr. Ramsay concludes the interview by describing the later years of King's and Conner's lives.

Miriam Feingold
Interviewer

17 February 1973
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BACKGROUND

[Date of Interview: May 17, 1972]

MF: I would like to ask you where you were born and where you grew up?

Ramsay: Well, I was born in Cumberland, B.C., [British Columbia] Canada, 1909. As a young boy in 1914, we came down from Canada to San Francisco and Oakland. Then I went to school in Oakland--started going to school as a kid.

MF: Does that mean your parents were Canadian?

Ramsay: Yes. My father was born in England and my mother was born in Canada. My father was an immigrant from England over to Canada. He was in the Northwest Mounted Police for a short while and then he met my mother, I guess, and then that was the end of that.

He migrated out from the midwest of Canada out to the west coast of Canada, to Cumberland. Then he worked for the mines out there, up in the timber country, and then in 1914 they came down to San Francisco and went to work on the waterfront there, in Oakland.

Then my mother and the seven kids came down on a ship from Canada to San Francisco and lived in Oakland.

MF: You had six brothers and sisters?

Ramsay: Yes. Four brothers and two sisters. They're all still alive, too. I'm next to the baby. I've got a sister pushing eighty. She's in good shape, too.

MF: What kind of work did your father do on the waterfront?

Ramsay: He was a wharfinger there at Howard Terminal. I forgot just what year he left there and went to work for Shell Oil. Then, of course, he worked for Shell Oil and from there he retired. That's many, many years ago. The dates kind of slip by, you know.

MF: How far did you get in school?

Ramsay: Oh, about the seventh grade. I found out that I knew more than the teachers did, so there wasn't any use in staying. Of course, when you're going to sea, you do a lot of reading and pick up a lot of stuff.

MF: Yes, I'm sure you could write books about it. Did you go straight to sea after you left school?

Ramsay: No, I worked on the waterfront for a while and then I grabbed a ship there and sailed for a while. Then, shipping was very bad and I went on the coastal and geodetic survey for about three years, on the survey ships. Then I came out there.

In 1928 or '29 I was back on the merchant ships again. I was sailing there when the '34 strike came on and out of that came 1935 when I ran for office [in the union]. This is where I've been ever since. Outside of a little vacation up in San Quentin, this is where I've been.

THE 1934 STRIKE AND THE MARITIME UNIONS

MF: I'd like to ask you about the '34 strike. Were you involved in that?

Ramsay: All the way up to here. [Points to neck.] Yep. I got off the Maui--I had been on a beach in Honolulu and I had gotten off the Malolo, I was a boilermaker on her. Another guy and I got the Maui coming out of Honolulu on May Day of 1934 and got into San Francisco. On the ninth of May, when the longshoremen went out, the mate came and asked us if we would work cargo up at Crockett. At Crockett was a sugar refinery.

Ramsay: So, he said, "Oh, we're just having a little problem here. They'll get straightened out in a couple of days. We want to see if we can get a crew to work the cargo." So, I told him, "Yeah, I'm going to work my bag right now, right off of here." In those days we were getting thirty dollars a month; I was wiper on there. All I took it for was to get transportation back to the mainland.

So, I got paid off. I had nine days; I had nine dollars. That was it. So, I went over and registered for picket duty and spent the '34 strike right in San Francisco.

MF: Were you there on "Bloody Sunday"?

Ramsay: "Bloody Thursday." Right.

MF: What was it like?

Ramsay: I was down on the Embarcadero when they shot the guys on Mission Street, if that's what you're talking about, Mission and Steuart. They shot one cook and one longshoreman. As a matter of fact, I have a tear gas bomb at home, from the '34 strike, that I thought I'd keep as a souvenir. I'll show you. [Reaches in desk drawer for some papers.] I said May the 9th and it was May the 7th. [Shows interviewer his union book.] Here it is. I got on in Honolulu. This was the Maui. Paid off in San Francisco. "Failed to report for duty," this is what the captain put in there. This thing here [points to entry in book] was when we voted about which union we wanted to represent us. The government held an election. They stamped the paper [in the union book].

MF: And this is when you voted in the MFOW?

Ramsay: That's when we voted--see, the MWIU was one union. That was the Wobblies.

MF: What do the letters stand for?

Ramsay: Marine Workers Industrial Union. So, we voted whichever one you wanted to represent you. This book shows it was May the 7th I got paid off the Malolo

Ramsay: and I thought it was May the 9th. So I had seven dollars, not nine.

MF: When was that election, that was right there in May?

Ramsay: Oh, I don't remember when it was done. That was done a while after we were out [on strike], you know. The guys were maneuvering around. It wasn't too long before the strike was over.

But you had to show that you were a seaman and the last ship you were on and all that. So, we went back to work and the conditions were just as lousy as when we went out.

MF: This was after you voted in the MFOW?

Ramsay: Well, yeah. We voted to go back to work. The conditions didn't change until after we were back and then we started striking each ship individually. This was real job action which paid off right away.

I shipped on a ship called the Katherine B. Sutton and was very fortunate that everybody, right from the captain on down, had been on strike. It wasn't a matter of going back with any finks or anything because these guys had all been on the picket line.

So, I went over to the shipyard and pulled her out and got her running and came over getting her ready to sail. We were all ready to get a load of lumber, it was on a steam schooner, and we figured, "The heck with it. We'll tie her up right here."

So, we went on strike, and from the captain on down, we just refused to take her out. We got what we wanted. I mean, it was a little bit. And this was what we kept doing, a little bit at a time.

I stayed on there for a few months and then came ashore and got involved in the union meetings here. I wound up as a patrolman. That was a long time ago.

MF: Well, just to back up again to the election. Was the MWIU much of a threat?

Ramsay: No. For a little while, but it died out very fast. The agreements were signed with the AFL union, which was ISU, International Seamen's Union. Now, you don't confuse them with the SIU union today. You see, that's the Seafarers' International Union. They turned the name around when they reorganized.

Of course, on the west coast--the NMU [National Maritime Union], of course, they don't come in until 1937 anyways. It's three years later that they organized. The west coast was organized after the '34 strike.

MF: Was the MFOW affiliated with any of the other unions?

Ramsay: We were the International Seamen's Union, yes. [refers to papers] See, this is the way it was before. [reads from union book] "The International Seamen's Union, Engine Department." All of the west coast is set up in crafts, deck, engine, and stewards, where here on the east coast it's all craft unions and one union, although we do have the different departments.

See, it's the International Seamen's Union of America. [Refers to 1935-36 union book.] And of course, this was just when I was taken away, so I didn't have to pay any dues then.

WORKING CONDITIONS: 1934-1936

Ramsay: As time went on, the conditions started to get better. When you talk about conditions on a ship in those days, you had tin plates and all of that stuff. There was no chinaware or anything. Your mattresses were covered with denim tick. You pull it over the donkey's breakfast mattress; you know, it was all straw. The unlicensed crew usually slept up in the fo'c'sle head or back aft.

There was no fresh water showers; we had salt water showers. If you wanted to take a shower, you'd take your bucket midships, draw your bucket of water, go back and scrub your teeth and take a shower from

Ramsay: there on.

Of course, as time went on, ships changed quite a bit. The quarters were--we used to call them "glory holes." It usually had eight, ten guys in a room, some up on the bunks that were three high.

Of course, today every guy's got a room to himself, and a bathroom between two guys. Back then there had to be one bath for every four, by law, but you'd be lucky on some ships if you even had that. And they got away with it. But it took time and it gradually changed.

The messman used to have--the stuff would have to be cooked midships and he'd have to put it in these tin buckets and take it all the way back aft and feed the guys, and by the time you got it it was cold. Now all of the messrooms all adjoin the galley and you know, it's all china dishes and stuff. Some difference, all right. And you get fresh water showers, too.

MF: You can hardly get clean with salt water showers.

Ramsay: Well, you had salt water soap too, you know. It wasn't the best, but once we made the changes--it's the most important thing.

Today, of course, in comparison with what we had then it's miles and miles of difference.

One of the bad things today is the kids today don't want to know anything about how it all came about. Some kids you'll talk to and they're willing to listen, but the average kid, he doesn't want to know nothing.

MF: Yes, that's one of the things that I'm trying to get at in this. I'm really interested in how that whole thing started.

Ramsay: It just couldn't get any worse, and it was getting worse. Some of the companies were paying as little as seventeen dollars a month.

Ramsay: Not only that, but we had a tremendous amount of guys who were work-aways, just working for their board and room and no pay. They'd give them twenty-five cents a month; they had to be on the article, so they had to give them something. These guys were a menace to the guys that were working because they were bumming them for tobacco all the time. They had no money and they were just waiting for you to drop dead so they could get your job.

The country was in rough shape altogether. There was nothing doing anyplace. If the guy was riding on the ship, at least he'd get something to eat, not a tremendous amount. But the country altogether was in rough shape. There wasn't any work anyplace.

MF: Had things improved much by 1936?

Ramsay: Gradually they did, yes. They kept coming up. We kept having beefs. But we just gnawed away at them, little by little, and get them to change this and change that. Then when we'd get into negotiations, we'd ask them to go a little more here and a little more there, and change the working rules.

We had a few strikes between 1934 up until just a few years ago. I don't know how many we've had; we've had plenty of them. Lots of it was done on what we call "job action," right on the job. We'd hit them one at a time and that would tie the whole thing up.

We had one big beef that I remember very well. King at the time was the head of the union, and I was one of the patrolmen there. The American-Hawaiian Line still had a bunch of finks on their ships that sailed all through the strike, see. Most of them were Filipinos and Chinamen. We could use the jobs and we went up to see Plant about taking these guys off. Well, we had been striking these ships; every time you'd turn around we had one of them tied up.

So, I went up there to talk with him and he told me, he said, "Look, Ramsay. Who are you kidding?

Ramsay: You won't even let us run a ship. Every time we turn around, you've got one tied up."

I said, "Well, look. Things are going along pretty good now. How about taking these guys off as they come into San Francisco?" He said, "I'll tell you what we'll do. If you can give us a hundred days without any ship being tied up, we'll take them off."

Well, this guy's name was T.G. Plant. They nicknamed him "Tear Gas" Plant. There was another fellow with me. So, I said, "Well, how about putting this in writing?" He said, "No, I won't put it in writing, Ramsay, but you can take my word for it."

So, what the heck. I had nothing to lose. I couldn't get it in writing from him, so I went back and told King. And King says, "Well. All right, we'll try to make sure no American-Hawaiian ships get tied up."

Well, to make a long story short, we get to the ninety-eighth day and some guy gets a real bug up in Longview, Washington, and he wants to tie up one of the ships up there. This is all we need. We've only got two more days to go. And this meant a considerable amount of jobs. I don't remember, offhand, how many ships it was, but they had had several of them sailing during the strike. So what happens, this guy insisted to tie her up, he wanted this and he wanted that. I don't know, maybe they wanted peanut butter; anything was an issue. So King got on the phone and we got the patrolman down from Seattle or Portland, I forget just where it was, and they talked the guys out of it.

So, on about the 103rd or 104th day I went up to see Plant. The next day there was a ship in, you see. He said, "I don't know how you did it. Let's keep them running now." And sure enough, when they came in, they took the guys off and that was that.

But we had them tied up everyplace. It went on for quite a few years. It was the only way you could get the job done.

OFFICIALS OF THE MFOW

MF: When were you elected patrolman in the union?

Ramsay: '35.

MF: So, it was practically right after it was organized.

Ramsay: Well, the union was in existence. It wasn't just reorganized. This is the oldest union on the west coast right now.

MF: Oh, I didn't realize that.

Ramsay: Since 1882. Yes, this one is older than the Sailors [Union]. [Shows interviewer a copy of the MFOW newspaper.] It never did go completely out. It got very small. The ships running to Australia always had to have union crews on them. The Australians insisted on it, you see, especially the mail boats that ran over there.

For a long time, there was just a small handful of guys that kept it going. And then of course, in '34 the whole thing came back again. But they have never been completely out of business since 1883.

MF: When did King become secretary?

Ramsay: Well, what was the date I got arrested on?

MF: You were arrested in August of '36.

Ramsay: Of '36. Well, King had been around since '35, just a short while before myself. I'd been there about a year or so when this thing happened. King wasn't there much over a year when he got arrested.

Well, we had two or three guys, one right after the other--they didn't call them president in those days, they called them secretary-treasurer. [J.E.] Ferguson,* a real character, and then it was

*See Appendix I.

Ramsay: King. Of course, when King went away, then V.J. Malone, he became president. He was president until, oh, just a few years ago when he retired. He was the longest one there, as long as anybody had been.

MF: Did King make many changes in the union when he became secretary?

Ramsay: No. It was a matter of getting the finks out of the union and stuff like that. Because some of them that got into the union, trying to get them off the ships and stuff--it was a continuous fight. Oh yeah, we made advances in the conditions on the ships and stuff like that.

We used to have some rip-snorting meetings; we had some dandies. The meeting would start at seven o'clock in the evening and go on until eleven o'clock at night and adjourn until ten the next morning and start and go until one or two o'clock in the afternoon. Then we had them every week, too.

MF: What were they arguing about all those hours?

Ramsay: Well, the funny thing is how I got to be an official of the union. There was a guy who was the head of the union at the time. I didn't think too much of him. He wasn't doing enough to suit me. Of course, I was a young buck. I wanted to change the world.

So, I went up at a meeting one afternoon and--one evening--there was a guy, a Spanish fellow, he had an issue that he wanted to bring on the floor. Some guy was mimicking him because of the way that he was talking, you know, and making believe that he couldn't understand him. He could understand him; I could understand him. He know what he was driving at.

So, what happened was that I was sitting back there with two or three guys around me and I said, "Look. Who's kidding who? I can understand this guy. You know goddamn well what he wants." So,

Ramsay: that was the beginning. After the meeting was over, we'd go down to Layton's Cafeteria, and about ten guys came after me and said, "Look. There's going to be a patrolman's job open tomorrow. You go up there and run for patrolman."

I thought, well, what the heck. I'll go up and see what's doing and the next day I was elected. There was enough of these guys that were in opposition to the guys that were in, that, outside of the time that I spent in the bucket, I've been in office ever since.

MF: What sort of differences did the factions in the union have?

Ramsay: Well, there was the Commie issue. I would think that there were a bunch of guys who wanted more, quicker. The other guys were willing to take it on a slow bell, and see if they can work it out. It'll take a little longer, but we'll get it anyway.

Of course, in the meantime, the MWIU petered out. That was not the problem, although the majority of those guys came into the MFOW when they saw that they had lost out in the election. And so lots of the guys came in the Firemen's Union.

Then, we had a pretty strong left wing faction in there. Walter Stack who was a [Communist] party member, and Bill Bailey--

MF: They're both still around the Bay Area.

Ramsay: Yeah, I know. Bill's down on the waterfront. Stack's driving a garbage truck or something, carrying hod or something.

MF: Something like that.

Ramsay: That's what I heard. Bill Bailey's down on the front. As a matter of fact, I worked with Bill back there. He was the agent here when I came back here.

So, of course, Stack--he got elected after that and was there for some time. I had a few run-ins with him.

MF: Where did King stand on these factions?

Ramsay: King was a big union man. A solid guy, you know. He didn't lean towards them, the Commies. He was a good, solid, trade unionist. He grew up in Canada. He was a Canadian, too. No, King was a good, solid, trade union guy. He was for the worker. He tried to stay out of the politics as much as he could.

Of course, when we had these meetings, you couldn't help but get mixed up in it. There was issues all the time. They would raise the issue.

MF: What was King's relationship with Harry Bridges at the time?

Ramsay: Well, as the head of one of the unions on the waterfront, he was--Harry was the head of the longshoremen, Local 10. I'm not too sure of the numbers.

MF: I think it was 38-10, then.

Ramsay: Yeah. Anyway, King was the head of the Fireman's Union on the whole coast, the same as [Harry] Lundeberg was the head of the Sailor's Union and [Hugh] Bryson, I think at that time, was the head of the Marine Cooks. I guess he's still around. I understand he made a million dollars there someplace selling real estate or something. He was quite a guy.

But, King and Bridges, on the union issues got along all right.

MF: I've heard some people refer to King as Bridges' "right-hand man" at the time.

Ramsay: Oh, he was a staunch supporter of Bridges. After the '34 strike they organized the Maritime Federation. I guess you've run into mention of that.

MF: Yes.

Ramsay: At that time, Lundeberg was elected president of it. Then, of course, he left that. Larson left the secretary-treasurer job at the Sailor's Union and

Ramsay: Lundeberg was agent, I think, of the Sailor's Union in Seattle. So, he took over the top job in the Sailor's Union, which was equivalent to King's job, see.

Bridges and Harry [Lundeberg] never did hit it off. I don't know why, but they never did get along. They became on the opposite side of the fence, all the way down the line. They'd picket line each other; it would be real bad.

MF: So, then you were patrolman of the union?

Ramsay: In San Francisco, yes.

THE SHIPBOARD MURDER

March 21 and 22, 1936

MF: Did you have a special area that you went out to cover, or could you be called out to beefs anywhere?

Ramsay: Anyplace. You're trying to get at this particular case, I see. Well, what happened there was that I lived in Oakland. So, the ship was over at Howard Terminal and I was on my way home, I'd make this ship, or the next day before I came in, rather than come over and go back again.

I did have from Pier 28 from Army Street all the way out. That was normally mine. There was three patrolmen. One guy would make all of the steam schooners and the small lumber boats, and I would take on the American President Line, American-Hawaiian and any of the ships that would come out of that section.

I went over to the ship and there was people that got some overtime coming to them on there, and I saw the delegate, who was Frank Conner. I went into the chief's room. And in the chief's room there was a gentleman sitting there and he was a boiler inspector.

MF: That was Vernon Showell.

Ramsay: Showell, that's right. So, the discussion I had with the chief, was that I showed him the agreement where the guys were entitled to this overtime. Although the chief was not a union minded guy, in the sense that he would say if the union said this, it was all right with him. He was not a pleasant person.

MF: It sounds to me that he had a reputation of being a --

Ramsay: Of being a bad boy, yeah. As I understand it, he was brought up in this company, from the time he was a kid. Here he was, the chief engineer. He was a good-sized guy and he was a pretty rugged-looking guy. He was pretty tough when he wanted to be.

So, anyway he said, "Okay, we'll pay it." Showell, I think, testified that he sure didn't see anything wrong with what took place in the room.

I left the ship and went home. I came over to the union hall the next day, which was Saturday. It was my Saturday on, I think.

MF: It was Sunday. The first day was Saturday and the second day was Sunday.

Ramsay: That's right. Sunday we had to come in, I think. Every so many weeks I had to come in for a couple of hours, and it was eight to ten on Sundays. The next day [Sunday], I understand, the ship moved over to the Encinal Terminal. This is where the guy [Alberts] got his lights put out.

MF: Now, on Saturday, had there been a meeting in King's office in which King --

Ramsay: No. You see, what would happen--those three patrolmen and then there was the secretary and assistant secretary and the dispatcher, and those were all of the help there was. So, King called me and said, "Go by the ship and get the damned thing straightened out." That's it.

Ramsay: Like here [in New York] I'm the port agent, and I'd tell the patrolman. When I first came here I had five patrolmen--four patrolmen and three girls working in the office. So, there would be one guy who would assign everybody, "You go there, you go there." Well, this is what King did. He had got the beef on the phone, so he told me to go by and straighten it out.

But you're getting to [Matthew] Guidera and [Albert] Murphy. Where the hell they drug this stuff up from, I don't know. Of course, they weren't in love with King anyway. It was real hard.

MF: I got that.

Ramsay: Yeah, Murphy had a large pineal gland. Have you run across that one?

MF: Yes.

Ramsay: But it was just no more than going over to get things straightened out, which I've told the patrolman here a million times myself. "Hey, there's a beef on such-and-such a ship."

MF: Yes. There was a lot of talk at the trial that King said, "Go over and tamp him up." They talked for hours at the trial about the word "tamp" and what "tamp up" meant, and that King presumably told you to go over and beat the guy up.

Ramsay: I don't think he said he told me to go.

MF: Did he tell anyone else to do it?

Ramsay: No. I just say --

MF: Did he tell you to send someone else?

Ramsay: No. This is where the other guys come into the picture. I went over as patrolman. These other guys went--this is where Murphy says King told these other guys, which to my knowledge, I didn't even know anything about it. Now, you're talking about Sakovitz and Wallace, which I had never seen at any time.

Ramsay: What does it show on Sakovitz?

MF: You know, he was never caught.

Ramsay: That is not so. No. There was a guy who sent me a clipping out of a newspaper. He's dead now, Gus Oldenberg. He used to be the assistant secretary of the Firemen's Union.

He [Sakovitz] was supposed to have gotten out of the country through Mexico, and went over to Africa and went into the Foreign Legion. So, the Americans came into North Africa and they dissolved the Legion there, and he joined the American forces. They made him do his fingerprints. So, they're bringing him back across the Atlantic on a ship and he went over the side. This was in the paper.

So, when I was going for my pardon, this DA out there--as a matter of fact, I think most of the time was spent on "Where is Sakovitz?" So, I told them [the DA of Alameda County] about this and he never did say if it was so or not so. But this article stated that he'd gone over the side.

But, the DA told me that the case was still open.

MF: That's pretty much theory only, though. The chances of Sakovitz showing up at this point are pretty remote.

Ramsay: You wouldn't recognize him if he was trucking down the street anyway. It's been so many years. See, they had a record on him anyway because he'd been in the navy, so, they had his prints and everything. So, they knew who they were looking for, printwise. I've seen a picture of him.

Aftermath and Arrests

MF: So, you heard about the murder Sunday night or Monday morning?

Ramsay: Yeah, maybe it was. I got the Monday morning paper and that's when I saw the whole thing, right. It was Sunday night, you know, and I got the evening paper.

MF: Did you and King talk about it the next day?

Ramsay: Just "What the hell happened," you know. I had seen the guy [Alberts], we had talked about it, and then it was straightened out. Because I didn't see King. He didn't come in Saturday and Sunday. So he asked me, "What happened?" And I said, "Nothing. I talked to the chief and the chief said, 'Okay, everything was all right.'" So, that was the end of it.

MF: Did you see either Wallace or Sakovitz after that?

Ramsay: No. I didn't even know Sakovitz. Wallace, I think, I'd seen around there. But they, of course, from that time on, they were scarce. Yeah, I never did see them after that.

MF: I remember reading that Wallace did some rather foolish things. He kept coming back to San Francisco and trying to get in touch with King.

Ramsay: He never did come around the hall, I don't think. Maybe he phoned him or something.

MF: I think that one of the things that Murphy talked about was that you went up to a hotel room sometime during that summer and saw Wallace in a hotel room.

Ramsay: King saw him in a hotel room, not me.

MF: You didn't?

Ramsay: No, no.

MF: Well, at some point around then, you left the MFOW, right?

Ramsay: Yeah, I went to organize the fish reduction workers. As a matter of fact, that's where I got pinched, down there at Fisherman's Wharf. Right over the one across the street from Tarantino's. You know the knick-knack joint on the corner?

MF: Yes.

Ramsay: Of course, that's all been done over. It was an old, rickety joint there. I had an office up there, where we were organizing the fish reduction guys to go out. They had these plants where they'd grind the fish up at sea and get the fish oil and make the meal out of the sardines, sack it up and make chicken feed out of it and stuff like that. So, I was organizing those guys at that time.

MF: What happened?

Ramsay: I was sitting in the office, and the Fishermen's Union was in there. They had one office and I had the other and they had a gal who worked for both of us. So, these two guys came in and said, "Are you Mr. Ramsay?" I don't know, a couple of guys looking for a job or something. So, he said, "We're from the district attorney's office, Alameda [County]. Oh, it'll be just a couple of hours, this guy wants to talk to you over there." A couple of hours-- five years and ten months later.

MF: Did they give you a chance to call anybody?

Ramsay: Oh, there was nobody to call, in a sense. They treated me all right. They were killing time for some reason; I don't know what was going on. They asked me if I wanted to eat, so we went in and ate. They didn't have any cuffs on me or anything.

So, we finally got over there pretty late in the evening. Only I think they did let me call my wife. But, in the meantime they'd picked up King, too. Conner, I guess, too. No, they didn't get Conner.

MF: Conner was in Seattle. They picked him up in Seattle.
Ramsay: Yeah, that's right.

In Jail

MF: Where did they take you then?
Ramsay: To Oakland.
MF: Did they jail you?
Ramsay: Oh yes. I never did get out, not until the 28th, one week before Pearl Harbor. The 29th of November [1941].
MF: Do you remember being in the Piedmont jail with Albert Murphy right after you were arrested?
Ramsay: Maybe that's where they did take me. They put me someplace and then they brought me down later. Yeah, it could be, yes.
MF: I came across some reference to that.
Ramsay: Well, you know. There's lots of things crawling around. I would have been held someplace one day, you know.
MF: Well, it was a long time ago, too.
Ramsay: Not only that, but they started running into each other. Yeah, I was in there six months before they were through. I think maybe, you're right. They might have had me in another place there, at one time for a day or so.
Why? Do the records show that Murphy said he was in jail with me or something?
MF: Yes, somewhere it comes up.
[Interruption]

MF: What did you think of the attorneys that worked on the case?

Ramsay: Well, I don't know. I guess they did a good job as anybody would have done. I don't come in for as much of the stuff as King did, you know. My attorneys were Myron Harris--William Older was the other guy's name. I guess he's gone. They tried to get the thing split up [into separate trials, one for George Wallace, and one for King, Ramsay and Conner].

I'll never forget--you see, we had how many lawyers? I had two, King had two, and Conner had two. One day as I went down to a baseball game up in San Quentin, I was sitting there with Jim McNamara and Matt Schmidt. These guys were in the [Los Angeles] Times [bombing] thing, you know. So, we were talking about cases. So, Matt says, "Well, how did your lawyers do?" He said, "I had six of them and if I'd had two more I'd have got hung." So, he got life anyway.

MF: Were either Mooney or Billings in prison?

Ramsay: They were all there when I was there. Billings was not in San Quentin; he was up in Folsom. He was a loser, see; he had done time before. So, he came out of Folsom. I see where they just had a big shindig for him in San Francisco.

I guess he still has his watch business up on Market Street. I'll never forget, when I got out of there I went up and bought a watch from him. I had never met him. I knew Tom [Mooney]. I used to see Tom all the time. I worked in the hospital and Tom was in and out of there; he worked in the hospital, too. I used to shoot the breeze with him and Matt Schmidt and Jim McNamara.

Of course, he [McNamara] died while I was there. They brought him down from Folsom because of his condition. It was getting pretty bad. I think he died of cancer. I sneaked up one day in the hospital to see him. I think he died about two days later. I worked in the hospital laundry there

Ramsay: and got a chance to go up in the ward and see him. He was quite a character. It's been a long time. It never changed him a bit. A Bolshevik from way back, a bomb thrower.

Tom [Mooney] didn't last too long. I saw Tom on the outside. As a matter of fact, my dad and I went over to see Tom just before he died. I went to the hospital and I could see that he was going to go. He was about the color of this pencil. [Holds up yellow pencil.] Jaundice had set in and he was poisoned. He died, oh, one or two days after I'd seen him. My dad and I went to see him.

MF: There's been a book written about that case.

Ramsay: Yes, I know.

MF: It just came out a couple of years ago.

Ramsay: Who wrote it?

MF: Richard Frost.

THE JULIA VICKERSON AFFAIR

MF: Getting back to the trial for a second, I'd like to get on the tape what you were telling me about Julia Vickerson.

Ramsay: Well, as I told you, after the--how many weeks did the thing go?

MF: It went on for a couple of months. It went all through Thanksgiving and all through Christmas and New Year's.

Ramsay: Anyway, it got so that after a while, we noticed that she would always, when she'd come out of the back room to come into the jury box, she always had a grin for Mr. Wehr or a wink or something. It got to be very obvious.

Ramsay: I think that somebody started working on it before the trial was over, to see if they couldn't find out some hitch in there. Of course, when the guy [Wehr] kicked the bucket, there was no doubt about it. She loaned him money. I don't know whether she was his lover or what, but she had loaned him a lot of money or something. Did it ever state that in the brief or something?

MF: [Shows pamphlet entitled, "Punishment Without Crime."*] They have a reprint of the paper that she filed for the money.

Ramsay: [Reads the pamphlet] Fifteen grand. Julia Vickerson against Charles Wehr. She's supposed to have given him a hundred and seventy-five bucks at a time.

MF: She was supposed to have given him diamond rings and a horse trailer and a number of other things.

Ramsay: You know, I had a whole clipping book; somebody clouted it on me. I kept the whole thing, after I got out, of course. There was a magazine called Friday. It was a very short-lived magazine.

MF: [Interviewer shows Mr. Ramsay a picture of himself in defense committee pamphlet, "Punishment Without Crime."] Here's you. In your younger days.

Ramsay: [Laughter] Yeah. It was very obvious that there was something cooking with her and Wehr. And of course, it was proved afterwards that there was more than something cooking.

AFTER PRISON

MF: Well, after you got out of prison, what did you do?

Ramsay: Well, I'll tell you. King got out and Conner got out on a Friday. I had a hold on me from Canada. See, I wasn't a citizen. The immigration [department] wanted me. They were going to deport me.

*In the King-Ramsay-Conner case files at the ILWU library.

Ramsay:

So, anyway [Aubrey] Grossman [an attorney] got in contact with Washington, D.C., and they finally posted a twenty-five hundred dollar bond and they cut me loose. Now, normally, nobody ever gets cut loose from prison on a Saturday or Sunday or on a holiday. So, I figured, "Oh, Jesus, I've got to stay here for the weekend." And these guys had got out the day before.

Duffy was warden and he was a very nice guy. He's still alive. I saw him on TV the other night. He was testifying before something about prisons, on account of this Attica thing.

There was a lieutenant there; I guess he's dead now. But he was a very nice guy. So, he called me up to his office and he said, "Well, it could be pretty rough for you to stay in your cell tonight. How about you going down to sleep down on the waterfront." So, he gave me a job change to go down where King had been. So, at least I wasn't cooped up and it was a regular sleep-out down there in a real house. So, me and the cat walked together all night long. I couldn't sleep.

Fairly early in the morning, oh, nine o'clock, the guard signaled me to come on over. He was up in the tower and he says, "They want you up there." So, I went up and he said, "All right, you're going home." Boy, I had to go get a haircut and get my suit and get mugged again and get printed again.

So, there was a committee out there to meet me. I got over to San Francisco. Of course, it was the first time--they had built the [Golden Gate] bridge while I was in there. First, I went to the [defense] committee on 3rd and Market, near the Examiner Building. That's where the committee room was, I think. They took me down to a joint to get an outfit of clothes. It was getting on pretty late, then, and we kept the tailor there to fix me up with some suits and overcoat and the whole rig.

Then my father came over to meet me and we went to a hotel. It's across the street from Union Square. What's the name of it? They're tearing it down, or remodeling it now?

MF: The Plaza is there, I think.

Ramsay: Yes, the Plaza. So, I get up to the room with my box of clothes and took all of the stuff from San Quentin and threw it down the chute and changed and then came out.

There was a guy who had done some writing. I can't think of his name. He used to be quite a writer. He worked with the committee. He was with me. We were going to a party that night, out at George Andersen's [one of the defense attorneys]. So, we came out and he said, "What do you want to do? Do you want a drink?" And I says, "Gee, I don't know. It's been a long time. You know what I'd like to have? I'd like to have a lemon coke." So, there was a soda fountain joint on the other corner there; it was a drugstore. So, we went in there. The guy says, "What can I do for you?" I told him, and I says, "Make it a big one." This thing hit me like a ton of bricks. Just from one shot. [laughter] I was really reeling. There was so much sugar, all in one shot. It was just for a little while. There's no doubt the scotch tasted the same as it did before I went in.

We went out to the shindig at Andersen's house. And then, the next morning, Monday morning, the papers were really on us. The headlines were, "Put them back. Put them back."

I had to go down to the Ferry Building on Monday morning, and report to the parole officer. He asked me what I was going to do. And I said, "Well, I don't know. Go longshoring, I guess."

So, Bridges had given me a book and the membership had voted me a full book in the longshoremen's union, see. So, I shaped up--well, I didn't shape up, they told me to go down to this certain pier and I worked four hours, which was all the work there was. So then, I came back up and I was told that I could not go down to the waterfront anymore.

MF: Who told you that?

Ramsay: Well, the shipowners didn't want me to work. They thought I had ulterior motives to get down in the front, for some reason. They thought I'd blow some ship up, or something. The war hadn't started yet.

So, anyway I had to go down to the parole office every day. I didn't know what the heck to do. I didn't know where to get a job. So, I went up to the union hall, the Firemen's Hall on Commercial Street, and talked to Malone and Malone said, "Well, look. Come on, and go to work here. Of course, Christie wants to get away for a while, anyways." Christie was the dispatcher. I took the job as dispatcher. And I had to report every few days.

That following Sunday I was over in Petaluma, visiting a friend of Miriam Dinkin's. I stayed over there all night, and we were in the car on Sunday morning, and we turned the radio on in the car and that's when we heard it was Pearl Harbor.

So, the next day King, Ramsay, and Conner went to page sixteen. But all that week, they just screamed. They were really at it. Warren was really screaming. So, that was the end of that. Pearl Harbor. So, I stayed right there and worked as dispatcher and I figured, the heck with it. I wanted to get away from the whole thing.

They were recruiting guys on the waterfront for the Seabees, you know, and the work battalions. This guy asked me, "Why don't you come on with us? We can get on the work battalions. You don't have to go through boot training and all this crap. You can go right out." So, I said, "All right, fine."

Of course, you know in the meantime my marriage was annulled while I was in the place. This guy was a colonel. He was an ex-longshoreman. So, he said, "Fine, I'd like to have you." I had to go up to the draft board. "When Hitler gets to the front steps of the White House, we might think about calling you," he says. I said, "Fine. Just as long as I know where I stand."

Ramsay:

So anyway, that was it. And they never did bother me. But at least I tried. I figured with all the damned heat that was on, it would have been a good way to get away.

King was a janitor, pushing a broom up at Golden Gate Avenue, at the longshoremen's building.

So, they never bothered me after that. Of course, the thing simmered down, and the war was on and I stayed there until 1946. No, I came back here [New York] in '44. I came back here and stayed 'til 1944. I went back and asked for a transfer to come back to New York. I thought I best get out of the state. In fact, on the advice of my attorney, "Out of sight, out of mind, see you around."

So, I came back here as a dispatcher and I stayed until '44 and then I went back out there again. I stayed there until '46. I came back and I've been here ever since.

When the European thing was over and they really opened up on Japan, well, this was when the whole movement started going. So, I went back out there as port agent in San Francisco. And then, I ran for New York agent and that's where I've been ever since.

GOVERNOR OLSON AND THE PAROLE

MF:

Well, talking about your release from prison, how could Governor Olson have avoided creating the reaction he did?

Ramsay:

I think that some of this heat that was created by releasing us, he could have avoided if he would have commuted our sentence to time served, or something like that. Let's see; I had to do seven or eight years on parole. But, you see, with the parole they could always pull a string and get you back in again. But if he'd have commuted the sentence to time served or something like that, that would've been the end of the ball game. Nobody would've done anything; he was the governor.

Ramsay:

He sure gave Warren something to scream about, boy. I hated to even look at the newspaper. Yeah, I felt kind of funny going anyplace, you know.

Well, we had a tremendous amount of good people going to bat for us. I sure as heck didn't want to embarrass them by doing anything that would cause them to feel--to embarrass them by doing something.

Jack Shelley was a great guy. You remember, he was mayor of San Francisco.

MF:

He's still around. I think he works for the mayor now.

Ramsay:

Yeah, he works as a lobbyist up in Sacramento for the city of San Francisco, or something. Jack was a very good friend of mine. As a matter of fact, I met Jack when we were kids, in my early days in the Firemen's Union. I was a delegate to the Central Trades Council and Jack was a bakery driver. He was a delegate to the Council. Jack became president of the City [Trades] Council. He ran for the State-- He became president of the State Federation [of Labor]. And he ran for senator or assembly of California. Then, he ran for Congress.

I used to go down to Washington. Jack has done me a lot of favors. People would come in to me with a lot of problems. I remember one very well, a Chinaman who was trying to get his citizenship papers. Guys were pumping him for money, you know, the more dough they could get-- So I got all the dope and called Jack on the phone and he said, "Come on down." So, I went down to Washington and he said, "Make yourself at home." And you know, we sat down over coffee. So, he got the Chinaman's citizenship papers.

Another guy with one eye couldn't get his endorsements because he only had one eye. Jack found a way to get it for him. He had to pass the examination, but they waived the eye bit, see.

Yeah, Jack was a good friend of mine. He was a good congressman for the city of San Francisco, altogether. As a matter of fact, the shipowners even

Ramsay: liked him because San Francisco thrives on the waterfront. Everything is hitched up to it in some way. Because without the waterfront today, that would be a miserable city. You know, shipping, commerce and stuff all go through there.

But, Jack is a swell guy. I think he had a heart attack or something. I know he hasn't been well. The last time I talked to him was just prior to the time he decided not to run again.

But I was sorry that Olson had to take all of that heat, and he had to take plenty, too. As a matter of fact, that was the end of his political career. Of course, he got sick or something anyway.

MF: He got sick right after he was elected, which didn't help him any.

Ramsay: Yeah. What did he wind up with? Jaundice, or something?

MF: I don't know. He pardoned Mooney, too, didn't he?

Ramsay: Right.

MF: And that didn't sit too well with some people.

Ramsay: Yeah, he came to prison to interview me.

MF: Oh really?

Ramsay: Oh sure. He interviewed King and I, both. As a matter of fact, he came up and I was in the warden's office, I think. Just him and I, alone. He didn't let anybody in there. And we went all through the case. This was before he did anything. But, he got into it that deep that he made the trip to the prison itself. Yeah, I would say that I was there for a good hour. Duffy was the warden at the time. We sat in Duffy's office.

This was prior to going to the parole board. I'd been to the board about, oh I don't know, four or five times and they would postpone the thing. So, they would usually postpone it and I would have to wait six months. After the second postponement,

Ramsay: they set the term for twenty years. See, I was doing five years to life.

MF: Yes, the indeterminate sentence rule.

Ramsay: Yeah. So then, they set the term for twenty years, which in actual prison time is twelve years and four months. That's if you had to do it all inside. Altogether, the time I was locked up, it was five years and two months and the rest of it was on parole.

But I had to do every day of it on parole. I'd say it was about five times I went before the parole board. And the third time, I think it was, they set the thing at twenty years and then denied [parole]. So, that meant one year. It was denied for a year. So, I settled down to another year. So, then I came before the board again, and I think this is when they gave us the parole. In other words, it's tomorrow, or right away.

Both King and Conner got out the next day and I got paroled to authorities. Saturday they got out, but I had to wait until Monday.

HARRY BRIDGES DEPORTATION HEARING

MF: You just reminded me, when you said that Olson came to see you, that at some point when you were in prison, some investigating committee came to San Quentin. I know they talked to King.

Ramsay: You're not talking about Harry Bridges, are you?

MF: There had been an attempt to bribe King. It was part of the Bridges' deportation hearing. That's it.

Ramsay: Yes, some funny things happen through this whole damn thing. They had moved the Bridges thing out there [to San Quentin] and oh boy, you talk about a three-ring circus, you know. All the wire outfits had telephones and movie cameras and everything up

Ramsay: there. They were there about three or four days.

What's his name--you know, the little guy from up in Massachusetts was hearing the case. He was a professor.

MF: Dean Landis.

Ramsay: This is funny. I'll never forget. I don't know whether King went first or I went first. They'd bring us down from the prison. It was down the road, at the recreation center that the officers had, you see, for the guards to party and stuff.

So, I get in there and they swear me in and want to know what I know about Bridges. Well, Landis takes off -- He started out to question me himself, see. It was nothing about the Bridges thing at all. "What are you in prison for?" I said, "I don't know." So, he started bringing out some points in the case. And he says, "I can't understand what the hell you're in here for either." [Laughter] And the place broke up. I says, "I don't know why I'm here," and he says, "Neither do I."

I guess I was on the stand an hour and a half or something like that. He wanted to know how well I knew Bridges, you see. Of course, I knew Bridges; he knew me. I'd gone to many meetings with him. What they were trying to tie in was the Commie meetings. Which they could leave me out.

Old Landis, he was funny. He made quite a joke out of the thing. [Laughter] "I don't understand what the hell you're in here for."

MF: There's something about it in this "Punishment Without Crime" booklet that says, [quoting from pamphlet] "A few days later, Ferguson induced Mrs. Ramsay to accompany him and Doyle to San Quentin, to put the same proposal to her husband. There Doyle and Ferguson offered the identical bribe to Ernest Ramsay, 'In return for an affidavit making a Communist out of Bridges, we will get you your freedom. We know you had nothing to do with the ship murder for which you are here.'"

Ramsay: Yeah. So, they got the affidavit, didn't they? Of course they didn't get any affidavit. I didn't know anything about the guy.

MF: Right. Because the next line is, "'I'd like to get out,' Ramsay replied, 'but I don't know anything about Bridges. I can't sign a false statement.'"

Ramsay: I mean, I knew Bridges, but I didn't know that much about the guy.

MF: But was that true that they came to you?

Ramsay: Oh, sure.

MF: Ferguson?

Ramsay: This was the guy -- This guy is a story in himself, you know. If you want, I'll let you take this-- [Ramsay shows interviewer autobiographical statement by J.E. Ferguson*]. This guy was the slippiest, slimiest guy. He got deported out of the country a couple of times. Here, take it and send it back to me.

MF: Yes. I'd be very interested.

Ramsay: This thing here will give you an idea. This guy was a case artist. He was some thief.

MF: Oh, he had a couple of names.

Ramsay: Oh yeah, he was slippery, like an eel. This guy, at one time, was secretary-treasurer of the Firemen's Union. They got smart to him and gave him the heave-ho.

He would do anything to make a buck. And I mean, anything.

MF: This is fascinating. I'd like to take this back, if I could, and I'll copy it and mail it back to you.

*See Appendix I.

Ramsay: Yeah. Listen, what the heck? I have a xerox here. I'll run it off and send it to you.

MF: Thank you.

Ramsay: Yeah, this is a masterpiece. This is an affidavit. He was robbing captains of ships, and stuff.

MF: Yes. I was just leafing through it and I noticed that he referred to how he was going to prove that Bridges was a communist.

Ramsay: This was so he could get back into the country. He'd call you all the names, he wanted to get back so bad. He'd do anything. The whole thing --

MF: He'd sell his mother down the river.

Ramsay: Yeah, he was something else. I think he'd been deported two or three times.

MF: What finally happened to him?

Ramsay: Oh, I don't know. I think that he--what year was this thing? 1950.

MF: On the next page in the booklet, they describe a very dramatic scene where King went on the stand and there were tears in his eyes when they asked him the question. [Quoting from pamphlet] "King struggling to keep emotion out of his voice said, 'Well, it's no fun being here. I'd like to be out on the bricks again. Doyle gave me that chance. But, you see, I couldn't do what he wanted. "I'm about forty-five years of age," I told him. "I've been to a lot of places and done pretty near everything I've wanted to do. I had a good time. I have good friends. I have a record of twenty-four years in the labor movement. Nobody is going to spoil it. Nobody is going to make me perjure myself. I haven't much left, just my self respect and nobody is going to take that away from me." King hesitated. Tears stood in his eyes. Newspaper reporters looked away and cleared their throats. Dean Landis busily looked at a far corner of the room."

Ramsay: That's right. I wasn't there you see. We weren't both in that same room at the same time. That was Dean Landis' idea. Yeah. I heard about it, you know, what happened. [Ramsay quotes from pamphlet] "Doyle had every opportunity to refute the testimony of Mr. And Mrs. Ramsay, and of King. He had been subpoenaed to appear at the hearing, but he didn't want to appear."

Yeah. You know, you forget a lot of the thing.

MF: What do you know about Doyle?

Ramsay: Doyle? Nothing.

MF: He sounds like he was employed by the Industrial Association.

Ramsay: Yeah, he was a company--what do you call them?-- strike breaking outfits, you know.

MF: Well, this case is certainly full of slimy characters. Here's a picture of Doyle.

Ramsay: Oh yeah. He looks it. Yeah, I remember the guy.

THE PARDON

MF: How did you solve your problems with the immigration department?

Ramsay: Oh, that's a whole book in itself. See, I was charged with re-entering the country and within a period of seven years committing a felony with moral turpitude.

I had come in on a ship. I had my first papers out, but they had run out on me while I was in the bucket. So, I went over to Ellis Island and they said that nothing could be done. "You're guilty and that's it." So, the date was set.

Ramsay:

I had finally gotten a lawyer by the name of Edward Ennis, who during the war was in charge of the Japanese-Americans on the coast. He was with the U.S. Attorney General's office then. So Ennis says, "Let me try one thing. There's this guy Watson on the west coast." This guy Ennis knew all the angles of immigration, inside out. He said, "There's only one way to get it beat, and that's to get a pardon." I said, "Oh boy, that's really something. Who am I going to get a pardon from? I can get it from the president easier than I can get it from Earl Warren."

So, anyway I had bought my ticket to go to San Francisco because I had to surrender there on Monday morning. So, this was Thursday, or Friday. Or either that or the union forfeits the money. Then they'll start looking for me and then I'm in some more trouble. I was going to go anyway because I had it all figured out that I was going to go up to Canada and then emigrate out to Australia or someplace.

Anyway, he gets on the phone and he gets ahold of this guy Watson. I don't know what he said to him. But he sent the whole thing back to Washington, D.C. for a review and Ennis said okay, that I should cash the ticket in. "This will take a year," he said. There was no monkeying around.

Then I really had to go to work. Now, I know there was only one guy who could get to the party [Governor Warren]. So, I had to get out and see him. So, I go over to see Morris Weisberger, who at that time was the agent for the Sailor's Union of the Pacific here [in New York].

So, I was in Manhattan and I went over to Brooklyn to see him and he said, "Look Red. Why don't you get on a plane and go to Frisco and get up and see Harry [Lundeberg], because I've talked with him on the phone." Of course, I've had my run-ins with Lundeberg over strictly union politics, you see. He was trying to raid us, in a sense. I wasn't his fair-haired boy, or anything. So anyway, I took Morris' advice and I went to San Francisco.

Ramsay:

Now, Earl Warren was ready to leave office. He was going to be a big guy in Washington, D.C. So, on Monday morning I was sitting on Harry's stoop waiting for him to come in. He came by and said, "What are you doing out here?" I said, "I want you to do something for me. The only way I can get it, I've got to get a pardon, and the only guy that can give it to me is the guy who put me away."

Well, I'll tell you. There was a telephone on his desk and he just picked it up and said, "Earl--," I don't know what he was saying to him. Now, he [Governor Warren] was to leave the following week, and there were only a couple of days left. He [Lundeberg] didn't tell me yes or no, he just let me sweat it out.

So, I walked out of the place and I said, "I'll drop by tomorrow, Harry." He said, "Okay, Red." And the next day I was down there again.

So now, the next day he [Warren] was leaving. That night I got up at the hotel to go to dinner with a guy. It was about five-thirty or something like that. I walked out on the street. The papers were already out, so I picked up the paper and I walked up to the gin mill where I was supposed to meet this guy. It was kind of dark [inside], so I couldn't see. So, I walked out in front of the lamp post for the light from the lamp, and was reading the paper. Warren had flown to Washington that day, so if it wasn't in this paper it wouldn't be in at all.

So, I turned the page and I'm coming down column one, and I see my name over in column two. So, I went back in to the gin mill. I was supposed to meet this fellow at six o'clock when he got off, and I said, "Give me some quarters." So, he gave me five dollars worth of quarters. And I got on the phone and called my wife. It was nine o'clock there. And she said, "Big deal. I've known about it all day." It had hit the papers here, and I'd been sleeping. I had come home in the afternoon and taken a nap and I called my sister and she said, "It's been on TV."

MF: What a comedown!

Ramsay: I stayed there that night and got a plane the next night. When I got home, the pardon was already there. It was the last thing he [Warren] did as he was leaving.

So, to get back to the deportation now. I called the lawyer and he said, "Fine." [Ramsay takes newspaper from desk drawer to show interviewer.]

Yeah, this is the [New York] Times, I think. Yeah, this is the New York Times. Here's a picture of the whole Warren family.

MF: Yes. They're all getting ready to leave for Washington.

Ramsay: Yeah. Now where the hell is that article.

MF: It says here it's continued on page 22.

Ramsay: That's it.

MF: [Reading from article] "Governor issues pardon." This is dated October 5, 1953.

[Ramsay shows interviewer correspondence with Edward Ennis, attorney.]

MF: Did you have to be interviewed again by the district attorney's office before they would recommend you for a pardon?

Ramsay: Yeah, right. I had to go to Oakland to the county courthouse. In fact, I was questioned by one of the guys that brought me in.

MF: Oscar Jahnson?

Ramsay: Yes. He was a very nice guy.

MF: What sort of questions did they ask you?

Ramsay: Well, of course they went over the case again, and I don't know, check to see if I was doing okay or not.

MF: Do you remember Mr. Chamberlain, who interviewed you at the DA's office?

Ramsay: Yes. This was the only time I had ever met the man; I hadn't met him before. He wasn't rough or anything.

MF: How long was this session in the DA's office?

Ramsay: I don't know how long I was in there. I just answered the questions he asked me. Most of the questions were about Sakovitz, if I had any knowledge of him. He just wanted to talk to me, wanted to know how I was making out in my life. Evidently I said the right things.

MF: Did they ask you about the influence of the communists in the unions or in the defense committee?

Ramsay: I don't really remember. They did ask me some stuff about the Commies, but not much.

MF: Did they ask you about the defense committee?

Ramsay: Oh, no. I don't think they asked me anything about the committee. Not that I remember. Of course at that time the committee had already disbanded.

MF: What did they ask you about the work you had done in the MFOW in New York in cleaning up the union?

Ramsay: He might have, yes. I'm sure he must have.

MF: You were saying before that without Harry Lundeberg --

Ramsay: I'm sure that I would have had one tough time, because there was nobody as close to this guy [Warren] as he was. And if I'd had a million dollars, I would have never got it [the pardon]. It had to be just a favor or through a friend of Warren's or something. I don't think he could get to Warren anyway. There was nobody who could talk to Warren like Harry could. He was very close to him.

MF: He'd been close to him for a long time, then?

Ramsay: Well, Harry had always been a Republican, you see. As a matter of fact, during the years he was one of the few labor guys that would take the TV or the radio for Warren when he was running for governor and stuff. Lundeberg would campaign for him.

And of course, the basis for giving me the pardon is not--he doesn't say that I'm innocent. He gives it to me on the basis of what has happened since. I was married, raised two kids and had never been in any trouble, you know. I worked steady and all of this. This is the basis for rehabilitation. He takes nothing away from himself in giving it to me; it's just that he figured that I had been penalized enough. This here was the only way I could become a citizen, to get a pardon.

This is why he gave it to me, so I could go ahead and stay in the country. This is very clear in the pardon; it's straight in the thing. It doesn't take anything away from himself, or that he believes now that I'm innocent or anything like that.

THE OTHER DEFENDANTS AFTER PRISON

Earl King

MF: I want to ask you again about what happened to Earl King afterwards?

Ramsay: Well, King--you mean from the time he came out of prison?

MF: Yes.

Ramsay: He went to work for the ILWU as the janitor, up on Golden Gate Avenue. Then he decided to go back to sea again, that he didn't want any part of this [janitoring]. So, they gave him an okay to go to sea.

Ramsay: Then he decided to get his engineer's license, which he did not have prior to the time that he was in prison. So, he got his second [engineer's] license and he got his first [engineer's] license and he got his chief's license. It wasn't easy, you know, to study to be a chief engineer after you get on in years. The cobwebs are there, you know; it isn't easy.

Then he came east, and started sailing out of here [New York]. As a matter of fact, he got his license back here. He always sailed on his license out of New York. He stayed away from the west coast company ships, purposely. There was no sense in asking for any more trouble.

So, he sailed as chief and then he got elected top guy in the union here, local 33 at the time.

MF: This is the Marine Engineers' Beneficial Association?

Ramsay: Yes. They called him business manager, which is the top job, the equivalent to the port agent in a sense, or the secretary-treasurer of the Sailor's Union or the president of the Firemen's Union. It was the biggest local in the MEBA in New York at the time.

So, he was there until he retired. They gave him a pension. It wasn't too much, but of course in the meantime, he got completely wiped out, as I told you, in this place down in Cuba.

MF: Well, was it because he married a Cuban girl?

Ramsay: Yeah, a showgirl.

MF: And then bought some property?

Ramsay: He had it there, before Castro, you see. When Castro came along, they just wiped him out. They ran him out and everybody out. No sense in staying there.

He used to drop by to see me once in a while. He'd call up, but it was pretty rough on the guy.

Ramsay: He had nothing. But he was a playboy type guy. He spent his money. He had fun. You know, he was a great guy. He wasn't a heavy drinker, but he was a nightclub guy. He liked to go nightclubbing and stuff. He'd spend his money all right.

MF: Would there be people in the MEBA now who would remember him?

Ramsay: No, not the guys that are in there now. There's been a whole turnover. There's one guy who comes up here to see me that worked with him for some time. He's retired, too. I don't know where the heck he's at now. But he worked with King for quite a while. King was very conscientious, a good solid union guy.

Frank Conner

MF: Let me just ask you about what happened to Conner after he got out of prison?

Ramsay: Well, Frank sailed when he got out. Then we had a problem with him here in New York. I was here at the time. He got hallucinations and stuff. He got himself married to some gal. He went up to the Marine Hospital and they put him out there in Central Islip [State Hospital]. He just flipped, altogether. And she got an annulment on the basis of his case. They said he was never going to get out of the place. I had met her several times. She was a nice gal.

Oh, he was happy as hell [in the hospital]. He thought he owned the whole place. It was out in Long Island, and he used to sit around and watch all the ships. He said that they were all his ships. He'd get all dressed up, like he owned them.

MF: Was he unstable when he was in prison?

Ramsay: Yeah, he flipped in there, too. He got to be quite a problem. Not a bad problem, but he would get these spells, you know. He'd get depressed. I don't know what you'd call it. He'd start daydreaming and stuff.

Ramsay: He was a worry to everybody, that he would crack up before we could get the hell out of there.

But it was all in the record--the headshrinker--they had it in the record. But, they let him out anyway. Of course, they figured he'd be taken care of, and he was.

He sailed for a while, I'd say two or three years, before he really flipped out.

MF: I hadn't known that he was married.

Ramsay: Oh yeah, he married this gal. She was a writer or a painter or something. She was a gal older than him. I'd seen her several times. She was a real nice person. She went out to the hospital. She called me and told me that she had talked to the doctor and the doctor said that he would never get out. So, on that basis, she got an annulment for their marriage.

He didn't even know her when she'd go out there. "Come on kid, let's go for a walk." But, the doc told us that it's sad, but he's not hurting or anything. He was just off his rocker, that's all. He wasn't hurting anybody. He'd go through a day just like he was going to work or something else.

MF: Did you know him at all before the whole thing happened?

Ramsay: Nah, oh, I might have seen him. When I went to the ship that day, he was the delegate. I might have seen him a couple of times around, but he's not a guy that I would spend any time with. He was much older than I was. How old was he, did you notice?

MF: When he died? Let me see. He was about seventy-two when he died.

Ramsay: Oh yeah.

MF: Yes. And they took very good care of him. He had heart trouble towards the end and they were giving him medicine for that.

Ramsay: Just kept him going?

MF: Yes. Just gave him medicines for all kinds of things that were wrong with him. They said he was very happy. He just sat in a corner and talked to himself all day. He'd be really annoyed if someone interrupted him. He was perfectly happy to sit there.

Ramsay: Yeah, he had this building. He would say, "Look. Have that building moved over there." You know, and he would see a fleet of ships coming in down the bay and one of them would be his.

MF: Poor guy.

Ramsay: He spent a long time out there. Yeah, his problems are all over with.

MF: Do you think it was prison that made him lose his mind?

Ramsay: I wouldn't doubt that. Well Frank, as I was told by lots of guys that knew Frank, was a heavy drinker, prior to this. So, this might have contributed to his partial breakdown and this other stuff helped a lot, too.

Transcriber: Marilyn Fernandez
Final Typist: Keiko Sugimoto

APPENDIX I

Deposition of James Stewart [John Earl Ferguson] June 6, 1950, 76 pp, is on deposit in The Bancroft Library copy of this volume.

[Appendix I in separate portfolio]

APPENDIX II

Notes on a Conversation with Ernest G. Ramsay, December 27, 1972

As Mr. Ramsay remembers, he first heard of Edward Ennis, who was his attorney during his last and successful appeal to the immigration department, through George S. Franklin. Mr. Franklin, an attorney, had been working with the ferryboatmen, helping them to organize a union. He had come to Mr. Ramsay for advice. When, in 1948, Mr. Ramsay got a notice from San Francisco to appear at a deportation hearing, he appealed to Mr. Franklin, who recommended an immigration attorney in the same building. This was Edward Ennis. Mr. Ennis put through a call to San Francisco and got the deportation hearing re-opened and moved to Washington, D.C. Carol King was not involved in the case.

Mr. Ramsay was chairman of the MFOW committee that was elected to investigate John McGovern, the union secretary who preceded King. The committee "gave him the heave-ho." McGovern, Mr. Ramsay remembers, wasn't a bad guy, but he was a lush, a heavy drinker. He had gone on a long drunk. Later on, McGovern worked for the shipowners as a go-between with the ships' engine departments. He was known as "The Mac."

Some of the old MFOW records were destroyed in 1935 or '36 when the janitor, instructed to clean up a closet, burned all the old records. Earl King, then secretary of the union, was very "hot" about the mistake, very angry. The janitor was known as Peg Leg Long and was the same man who played a small role in the shipboard murder case.

INDEX -- Ernest G. Ramsay

Alameda County
district attorney's office, 16, 18, 36
American Federation of Labor, 5
American-Hawaiian line, 7-8, 13
American President line, 13
Andersen, George, 24

Bailey, Bill, 11
Billings, Warren, 20
"Bloody Thursday", 3
Bridges, Harry, 12-13, 24, 29-31

California Labor Federation, 27
California State Parole Board, 29
Central Trades Council, 27
Chamberlain, Richard, 37
City Trades Council, 27
communism, 11-12, 30-32, 37
Conner, Frank, 13, 18-19, 22, 40-42
criminal procedures, 21-22, 28-29

Dinkin, Miriam, 25
Doyle, Larry, 30, 32-33
Duffy, Clinton T., 23, 28

Ennis, Edward, 34, 36

Ferguson, J.E., 9, 30-31, 32

fish reduction workers, 18
Fishermen's Union, 18
Folsom Prison, 20

General Strike of 1934, 2-8
Grossman, Aubrey, 23
Guidera, Matthew, 15

Harris, Myron, 20

Industrial Association, 33

Industrial Workers of the World (IWW), 3

International Longshoremen & Warehousemen's Union, 2, 12,
24, 38

International Seaman's Union (now Seafarer's International
Union), 5

Jahnsen, Oscar, 36

Japanese-Americans, 34

King, Earl, 7-10, 12-15, 17-18, 20, 22, 26, 28, 29, 32, 38-40

labor unions, 2, passim

conditions, 5-7

job actions, 7, 18

Landis, Dean, 30-32

Los Angeles Times bombing case, 20

Lundeberg, Harry, 12-13, 34-35, 37-38

Malone, V.J., 10, 25

Marine Cooks' Union, 12

Marine Engineers Beneficial Association, 39

Marine Firemen, Oilers, Watertenders & Wipers Association
(MFOW), 2, passim

Marine Workers Industrial Union (MWIU), 3-5, 11

Maritime Federation, 12

McNamara, Jim, 20-21

Mooney, Tom, 20-21, 28

Murphy, Albert, 15, 17, 19

National Maritime Union, 5

New York Times, 36

Oldenburg, Gus, 16

Older, William, 20

Olson, Culbert, 26, 28

Plant, T.G., 7-8

Sailors' Union of the Pacific, 9, 12-13, 34
Sakovitz, Benjamin, 15-17, 37
San Quentin Prison, 2, 21, 28-29
Schmidt, Matt, 20
Seafarer's International Union (formerly International
Seaman's Union), 5
Shelley, John, 27, 28
shipboard murder, 13, passim
Showell, Vernon, 14
Stack, Walter, 11

U.S. government
Immigration & Naturalization Service, 33

Vickerson, Julia, 21-22

Wallace, George, 15, 17, 20
Warren, Earl, 25-27, 34-38
Wehr, Charles, 21-22
Weisberger, Morris, 34
Wobblies (see Industrial Workers of the World)

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Earl Warren Oral History Project

Aubrey Grossman

A DEFENSE ATTORNEY ASSESSES THE
KING, RAMSAY, CONNER CASE

An Interview Conducted by
Miriam Feingold

Aubrey Grossman

A memorial celebration will be held January 30 in San Francisco for celebrated civil rights lawyer Aubrey Grossman, who represented labor leaders, Indians, protesters and acupuncturists for more than 50 years.

Mr. Grossman, 88, died December 8 in San Francisco after a long illness.

The memorial will be held from 1:30 p.m. to 4:30 p.m. at the Ship Clerks Hall at 4 Berry St.



Aubrey Grossman

TABLE OF CONTENTS - AUBREY GROSSMAN

INTERVIEW HISTORY	i
I BACKGROUND	1
II LAW ENFORCEMENT, ALAMEDA COUNTY, AND MARITIME LABOR	3
III MARITIME EMPLOYERS	6
IV THE DEFENDANTS	8
V WAS IT MURDER?	12
VI CRIMINAL AND JUDICIAL PROCEDURES	17
<u>The Arrests</u>	17
<u>The Judge</u>	18
<u>The Juries</u>	19
<u>The Evidence</u>	21
VII THE JULIA VICKERSON AFFAIR	23
VIII THE CASE AND THE 1936-1937 STRIKE	27
IX THE KING-RAMSAY-CONNER DEFENSE COMMITTEE	30
X KING AND RAMSAY AND THE FIRST BRIDGES DEPORTATION HEARING	33
XI OTHER DEFENSE ATTORNEYS	35
INDEX	39

INTERVIEW HISTORY - AUBREY GROSSMAN

Aubrey Grossman was interviewed by the Earl Warren Project of the Regional Oral History Office in order to record his recollections of his participation as defense counsel for Earl King in the King, Ramsay, Conner case, and to elicit his comments on labor organizing on the San Francisco waterfront.

Interviewer: Miriam Feingold

Conduct of the

Interview:

When he was first approached to be interviewed for the Earl Warren Project, Mr. Grossman, an extraordinarily energetic and busy man, expressed his willingness to cooperate, but finding a time proved difficult. Still an active practicing attorney, he was involved primarily in the defense of civil rights and civil liberties cases which were time-consuming and frequently required extended out-of-town visits. Finally, Mr. Grossman generously suggested that we tape record during one of his evenings at home, and this was done. A single session was held on February 6, 1973 at his Diamond Heights home in San Francisco, with his ginger cat looking on. With time being at a premium, discussion was limited to the King, Ramsay, Conner case and related waterfront questions.

Editing:

Editing of the transcribed, taped interview was done by the interviewer. Since the interview followed fairly closely a prepared outline, little rearrangement was necessary. Mr. Grossman carefully reviewed the edited text, making several corrections but leaving intact the interview's colloquial and informal style.

At the time Mr. Grossman was editing the manuscript, he was fighting a legal battle of his own, a reflection of his long and often stormy career. During a 1971 trial in which he defended Pitt River Indians protesting land ownership they said was theirs, Mr. Grossman

was charged with contempt of court for remarks he made to the judge. Later convicted, he appealed the case to the U. S. Supreme Court which sent it back to the U. S. Court of Appeal for review. The appeal court upheld its earlier conviction. Mr. Grossman is now fighting efforts to disbar him.

Narrative

Account of the Interview: Mr. Grossman's account begins with a summary of his background. He was born in San Bernardino, California in 1911, earned his BA at UCLA in 1932 and his law degree from Boalt Hall at the University of California-Berkeley in 1935.

He began almost immediately to practice law from an office in the Union Recreation Center on the San Francisco waterfront, representing maritime workers and their unions. Having become acquainted with Harry Bridges and other longshore leaders during the 1934 strike, it was not surprising, he explains, that they asked him to join the defense efforts after the arrest of the Marine Firemen's Union leader Earl King.

Mr. Grossman places the case in the context of tensions on the waterfront that culminated in the 1936-1937 strike between employers, who wanted to destroy the unions, and labor, which was only newly organized. He notes that District Attorney Earl Warren, who then had the reputation of being "in the pocket of Joe Knowland," was quick to label the shipboard murder a communist plot, and he comments on Warren's and the Industrial Association's vigorous anti-labor policies.

Mr. Grossman next assesses the defendants and comments on the effect that prison had on them, especially Earl King, who, he notes, partially broke under the strain. He notes that the trial, the possibility of a death sentence, and the years in prison placed enormous pressures on the defendants, and could easily change or destroy people, and guarantee that they would not protest any further.

In attempting to unravel what probably happened the day of the murder, Mr. Grossman discusses conditions aboard ships and the union's normal means of handling disputes, which did not include violence. He suggests that King may have sent men to the S.S. Point Lobos to beat up Alberts, but certainly not to kill him.

Commenting on criminal and judicial procedures in the King, Ramsay, Conner case, Mr. Grossman notes that the DA used practices such as hiding the defendants from their friends and attorneys that would clearly be illegal today. He also notes that Frank Conner's confession would by modern standards be unacceptable. He discusses unfairness in the selection of the grand and petit juries which sat on the case, and describes the case of one petit juror, Julia Vickerson, who was involved in an affair with one of the assistant DA's trying the case.

The Julia Vickerson affair surfaced several years later, Mr. Grossman relates, when he presented the evidence of this matter in an attempt to free Wallace, after King, Ramsay, and Conner had already been freed. The writ of habeas corpus was denied, but had it not been, Mr. Grossman speculates, Warren's career might have been ruined.

Mr. Grossman discusses the efforts of the King-Ramsay-Conner Defense Committee, which he calls "one of the best" he had ever seen. He then describes the unsuccessful attempts to involve King and Ramsay in the attempt to deport Harry Bridges in 1939. He concludes the interview with an assessment of some of his fellow defense attorneys.

Miriam Feingold, Interviewer
Regional Oral History Office

I BACKGROUND

(Date of Interview: February 6, 1973)

Feingold: Could you tell me where you were born?

Grossman: I was born in San Bernardino in 1911. I spent about ten years there, then went to Los Angeles. I went to school in Los Angeles, and then UCLA. In 1932 I went up to the University of California Law School, and graduated from there in 1935. I began to practice law in 1936.

Feingold: Private practice?

Grossman: Private practice, but almost immediately got involved very much with the waterfront unions. As a matter of fact, my first office, which I opened immediately after I got admitted [to the bar] was in the Union Recreation Center, which was sponsored by the maritime unions.

I had been practicing only for about two months when the King, Ramsay, Conner case came along, and drew me fully into it. Just about the time that case came along, I set up partnership with Richard Gladstein, and we began to represent unions increasingly.

Feingold: Were you associated with George Andersen at this time?

Grossman: No, except in the King, Ramsay, Conner case. He was chief counsel there, and I was just a beginner there.

Feingold: How did you get involved in the case?

Grossman: Well, a number of the leading waterfront unionists knew me because I was in the Union Recreation Center,

Grossman: and I had met Harry Bridges and Henry Schmidt, and some of the important strikers when I was still a student at law school, because we had developed very important supportive activities there, so that I knew a number of them. I forgot which one recommended me for the case. It may have been Bridges, or it may have been somebody else. I just don't remember.

II LAW ENFORCEMENT, ALAMEDA COUNTY, AND MARITIME LABOR

Feingold: What was the general picture regarding the waterfront unions at that time?

Grossman: You get the picture pretty well from the new book on Bridges,* as to the significance of the 1936 strike.

The significant thing about this case, in it's proper perspective, is that the maritime unions were heading towards a decisive strike in which the employers hoped to wipe out the unions that they had been saddled with as a result of the 1934 strike. They obviously used this case to the extent they could to try to further their purpose.

The most significant thing about it was the way the story broke. If you go back and read the first newspaper coverage of it in the [San Francisco] Examiner, you'll find a big headline, if my memory serves me right, in which I think Earl Warren was quoted, but I'm not sure, which labeled this as a Communist murder, and pointed out clearly how it involved the second most important maritime trade unionist on the Pacific Coast, Earl King.

There's no doubt that this red-baiting was the main tactic of the employers. This was pretty well brought out by the Bridges book, but there's a lot more detail. Here was apparently, they thought, a combination of Communism and murder. It would

*Charles Larrowe, Harry Bridges: The Rise and Fall of Radical Labor in the US, 1972.

Grossman: make quite a combination, if they could tie them together, to weaken the strike that was scheduled to come, and maybe even stop the strike.

Earl Warren was considered by the whole labor movement as in the pocket of Joe Knowland and any big employer that wanted his help. He certainly did everything in this case that one would do that was in their pocket. He, maybe, would have done it anyhow. Maybe he was that kind of prosecutor who would have done it anyhow on any case that was a big publicity case, and this was the case that got him the kind of publicity that I think undoubtedly took him the first rung up the ladder to become attorney general.

I suppose one could make a more careful political analysis, but everyone at that time, at least, was critical of Earl Warren, and everyone in the Democratic party and so on concluded that he used this case to become attorney general, and to get massive publicity, and to do his best to convict.

It wasn't only the maritime unions that felt the lash of Earl Warren as district attorney of Alameda County. It may not have been the worst county in the whole country, or the state, in terms of how the district attorney and the police and the sheriffs dealt with workers who were on strike. But it was among the worst, and that's where I got my early training as a labor lawyer. I know that Earl Warren and the police and the sheriffs in Alameda County went way beyond what one would do if one was simply a vigorous prosecutor or a vigorous policeman or a vigorous sheriff. The whole labor movement would have agreed, I think, if you'd conducted a poll.

One very significant thing is that though the labor movement was not fully supporting the maritime unions--they were much too left for the labor movement, in general--nonetheless the moment the King, Ramsay, Conner case broke, you found the labor movement officially supporting it through its California organizations, through its Oregon organizations, through its Washington organizations. This showed the distrust of Warren and the feeling

Grossman: that this was a labor frame-up, long before the trial brought the facts out.

It could only have been based upon their understanding of Warren and Knowland and the Knowland machine that ruled. Nothing else could have produced, as I say, such support. Because any history of the labor movement--it hasn't been written incidentally; the Bridges book does a pretty good job--but any history of the labor movement would show you that there was a big cleavage, really, between the maritime unions and the other unions. I don't mean that they were at loggerheads, and the uptown unions realized what a great contribution was made to their organizational efforts. Nevertheless, they simply didn't agree on a lot of things. They were much more conservative than the maritime unions, and cautious, and pretty much anti-Communist, pretty strongly anti-Communist, I would say.

The California Federation of Labor was under an incredibly vicious anti-Communist, Paul Scharrenberg.* Nevertheless, they adopted this resolution at the time supporting the King, Ramsay, Conner case as a labor frame-up. So, it's pretty indicative of the forces below the surface that had to be related to Warren and Knowland and Alameda County in the frame-up.

*Paul Scharrenberg was head of the California State Federation of Labor from 1910 to 1935. He was replaced by Edward Vandeleur, who was equally conservative. [Ed. note]

III MARITIME EMPLOYERS

Grossman: [Referring to interview outline] As to whether the employers had been trying to bribe King, I don't think it really matters very much, because when you analyze employers in general, and particularly waterfront employers, when they're fighting the kind of enemy that they were fighting in the maritime unions, they were fighting an enemy that could cost them over the years, in terms of the difference in wages that they paid, hundreds of millions of dollars.

So, obviously, not being men of such principle that they would maintain the correct principle and their moral code, even if it cost them hundreds of millions of dollars, they would do their best to get rid of the unions. They would violate the new National Labor Relations Act. They would have King or Bridges or somebody else killed, if they could. They would bribe them if they could. They would corrupt them if they could.

It just stands to reason there wasn't a single--there are some interesting facts on that in the new Bridges book--but there wasn't a single employer who was that kind of an exception that you sometimes find, who wouldn't go for illegal and immoral conduct.

As a matter of fact, they were the most immoral, most cruel and vicious, probably, employer group that we could find in this country at that time. The Waterfront Employers, and the Industrial Association of San Francisco worked hand in glove. And here, I think, there is some interesting material in the LaFollette Committee [investigations].

One reason that they were so vicious was not because there was at stake the question of maritime unions only, but California being a corporate agri-

Grossman: cultural state, also involved very soon was the question of the organization of agricultural workers, and semi-agricultural industries. We saw this combination working--the Waterfront Employers and the Industrial Association of San Francisco--working together with the growers. As a matter of fact, the growers were all headquartered at Montgomery Street, San Francisco. So, this was really a diabolical combination.

So whether or not Leo Huberman* had it completely right about the employer bribe of fifty thousand--it could have happened, and was quite in keeping. But it wouldn't have been the worst thing that they could do. I would suppose it's worse to kill a man, being an official, than to bribe him, because if you bribe him, you can't bribe him unless he's willing to be bribed, whereas you can kill him even though he's not willing to be killed.

*Author of "Free These Three," a pamphlet distributed by the King-Ramsay-Conner Defense Committee.

IV THE DEFENDANTS

Feingold: What was your general assessment of Earl King?

Grossman: My judgment on King, Ramsay and Conner was not based on just how they acted during the trial, or during the appeal, or while they were in prison, but also how they acted afterwards. I can't separate it in my mind.

I never knew any one of the three before the trial. I knew King pretty well in prison. I think I visited him more than anybody else, more than any of the lawyers did anyway. I think I visited Ramsay more in prison than any of the other lawyers. I did handle his deportation case, which was handled while he was in prison.

Frank Conner I remember very little about. He's the kind that you could pay very little attention to. He wasn't very smart. He may have been nice. I just don't remember much about him. I don't think anybody knew very much about him. He wasn't a bigshot in the union; he just happened to be one of the stewards on the vessel, and that doesn't mean very much.

Earl King undoubtedly had a great deal of ability as a union leader. He undoubtedly had a tremendous following. I don't know if he deserved the following or not. I have some doubts.

He certainly broke under the strain of prison. Not just prison; that didn't do it quite, but the strain of coming out and not having a nice cushy job waiting for him. I remember his bitterness because when he came out the unions didn't make a nice job for him. I'm not saying I'd justify them, but he nevertheless shouldn't have come out saying that someone owed something to him, in a sense. Especially with his background of rank and

Grossman: file unionism, he would know that this kind of a union doesn't just make a spot for someone. You've got to be elected to the spot, and so on. He should have known that.

But what really rubbed it in, was that he was actually a janitor for a while at the ILWU headquarters at 150 Golden Gate Avenue, and that really rankled him, undoubtedly. So, he went on to become a very conservative red-baiting trade unionist in the Marine Engineers Union.

Feingold: I didn't realize that he was a red-baiter.

Grossman: Oh yes. He was, he was.

Ramsay went on to become a conservative, also red-baiting, official in the Marine Firemen. The thing that, I suppose, showed Ramsay's character, somewhat, is that when he got out of prison he decided he was going to be a successful businessman. He didn't go into a big business. My memory doesn't tell me whether it was two years or three years or what, until he got some kind of a nice berth with the Marine Firemen's Union.

He had one of these locker rental places where seamen could rent lockers, and buy ship and seamen's clothes, and get their stuff pressed, and whatever it was. He was making a good living there, he was telling me. He seemed to enjoy it. He wasn't just doing that until something else came along, but he seemed to enjoy it.

I think it's just that probably King and Ramsay reached their level afterwards. Before that, with maybe two or three or four years of tough trade union work, they might have reached the same level. No one knows. This put terrific pressure on them. There's no question, facing the possibility of a death sentence. If you don't have the stuff to bring out what you've got--

But it's not so unusual. There are very few trade union leaders in this country that can take a death sentence sort of case, whether it be Tom Mooney or [Warren] Billings or King or Ramsay or Conner. The first two could and did. So, it

Grossman: doesn't really prove anything except that they weren't great heroes to begin with, that's all. It's true that they might have been pretty effective, and even democratic trade union leaders, given normal circumstances. I don't know.

I've concluded over the years that the employers, if they're the ones who are responsible, if we're talking about a trade union frame-up and not a political frame-up--the government when you're talking about a political frame-up--they don't make any mistakes. When they use the death penalty charge they realize the implications. They realize it does scare people. It does change people. It can destroy them. It can guarantee that if they get out of jail they won't keep up the fight. It scares a lot of other people who see it happen and say, "It could happen to me."

So, I think what we saw here was the typical effect of a serious penalty: the threat of death, and several years in prison. How many years did they serve in prison?

Feingold: Five.

Grossman: That's a long time for lots of people. I've seen lots of Communists cool off all their ardor with five years in prison. It does the job, but it doesn't tell us too much about King and Ramsay and Conner, it seems to me.

They were stronger than the average. The way they came through when they [the Immigration Department] were trying to get Bridges showed it. If they [King and Ramsay] had wanted to get out that badly, they could have, through the Bridges case, through testifying for the government.

Of course, I don't know if you can give them full credit for that. They also knew what would happen to them if they testified. They might even have felt that something would happen to them physically. They knew the feelings and the loyalty of the waterfront workers toward Bridges. They might have been scared to cooperate. If they were telling the truth [in testifying against Bridges], yes, they might have done it, but to not tell the truth and to have the honest rank and file workers

Grossman: on the waterfront deal with them the way they ought to be dealt with as stool pigeons, maybe that explains it, I don't know. I really can't evaluate them very well. And I don't know that history can.

I mean, I was pretty close before and after, with both of them, and I've got a pretty good understanding of how union leaders act, and so on. If I can't, I don't know of anyone who can, without really studying them and their family--and ways that aren't available to most people.

Feingold: Did you know King's brother at all? Garfield King?

Grossman: I only met him when we brought him down to testify on the Bridges case. He made a terrific impression on me. He really made an impression on me. Garfield King was a great guy.

V WAS IT MURDER?

Feingold: Would you like to move on to what actually happened on March 21 and 22, 1936?

Grossman: I don't know. I tried to find out. Any lawyer learns that sometimes if someone has something to say that might hurt him, maybe the last one he'll tell it to is the lawyer, because he figures the lawyer is going to act differently if he thinks he's dealing with an innocent client than with a guilty one.

But in any event I did my best to figure out what happened, because it's important for the lawyer to figure out what happened in order to present the best possible defense. I never could. I don't remember all the details of what I then concluded. But, as I reread the pamphlets, I agree that I concluded then, and I would still believe, that someone killed Alberts, and I would assume that [George] Wallace was the most likely.

If [Ben] Sakovitz actually existed, and I think he did, he probably was along with Wallace. But I think that Wallace was the one. Maybe both of them did it. I think if it was one and not the other, it was Wallace.

Feingold: Do you think it was an independent act of theirs?

Grossman: Oh, did King send them over? Well, you see, the only way this could be made to appear the way the prosecutor did it--and this is a significant thing about Earl Warren--was from a completely anti-labor point of view.

Here is a vicious, vicious, employer representative on this ship. A ship is like no factory. No superintendent of a factory has the dictatorial

Grossman: power of a captain of a ship, or almost as much, the chief engineer over the black gang. When the ship's at sea you don't disobey orders, without real trouble. Also, the control over every aspect of your life, not only how much you work, but what you do with your own time, and where you live, and what food you get, and so on, is incredible.

So, if you've got a vicious guy who makes life almost unlivable for the guys on the ship, this is a real trade union problem. If you know trade unions, and you're not anti-labor, you realize that the main thing that the unions can do for anybody is to protect his working conditions day after day.

What you do in getting wages every year, or every two or three years, is not one hundredth as important as controlling your normal working conditions. You won't find any workers anywhere who would settle for five times the wages if they had a Simon Legree over them every minute.

When the ship comes to port, and the report is that the guy is as vicious as this chief engineer was, then it's the responsibility of the head of the union, especially a rank and file union, to straighten him out. That doesn't mean straighten him out with a knife.

This is the problem that any union would have that was a good union. If they got a report that someone was bad, they would send someone to see him. Maybe the business agent would go. Usually these matters could not be handled by the steward. He hasn't got enough weight. He hasn't got enough power. He hasn't got enough know-how. That's what you have business agents for.

Sometimes if he gets particularly tough, the president of the union goes. Then you put all kinds of pressure. Maybe you go see the guy and give him a talking to. Maybe you go see his boss. Maybe you pull workers out on strike.

So, this could only be presented, as it was, as I say, from an anti-labor point of view: [They say] because he was a vicious boss, therefore the union would send someone out to kill him. Of course

Grossman: not. They would send a business agent out to straighten him out, to hear his side of the story, and to tell him he couldn't get away with that, and to talk to the workers and see what they had to say, and so on.

When King sends Ramsay out to straighten out this beef--I forget what the language was, it was probably something like that--that's what it means, to talk to him, etc.

So, that's what King had to do with it. And that's what Ramsay had to do with it. Now, I don't say it's absolutely impossible. If Alberts was as vicious as they say, it may well have been that words became hot and he actually assaulted Ramsay, and that Ramsay did something in self-defense. I'm not prepared to say it couldn't happen, because he [Alberts] was that kind of a guy. But the important thing is that King did not send him out there for that purpose, and Ramsay didn't go out for that purpose.

It's even possible, I suppose, that Ramsay went to see him, and found out that he was so vicious and so violent that Ramsay--and he [Alberts] was a big guy, as I remember from the testimony--felt he needed some support. Ramsay wasn't a tough guy, if I remember right, at all. Ramsay may have felt that he needed a couple of guys as a sort of bodyguard. It's possible that Ramsay went back to talk to him with some guys who would be able to cool off Alberts so that there wasn't a fight. The guys could hold his arm and say, "Cool off, we're going to talk this over." I don't know.

It's all possible, but it all negatives any kind of a criminal intent. As I say, there may have been some self-defense here. There probably was, because from the standpoint of the union, or any of the members of the union, knifing would, rather than be a solution to the problem of a vicious boss, it would be the worst possible answer. It would only hurt the union. It wouldn't solve the problem. The boss would be tougher than ever, or the next boss would be.

Grossman:

So, it didn't make sense. The only thing that makes sense is self-defense. That is, that he was so nasty and so defensive and so willing to start a fight that it ended up with a knife. Maybe it ended up with a knife because he took out a knife or a gun, I don't know.

I just can't say, except that I must reject completely, from the logic of it, that anybody in the union intended this when they arranged for someone to talk to him. That's the only thing I'm clear about.

Now, it could have been that Wallace didn't have much of an excuse. Wallace was just a guy who thinks violently and hated Alberts for what he was, and maybe Wallace was a good union man. I seem to remember that they said he was a pretty good union man. So, maybe a good union man, who reacts this way, because Alberts was such an anti-union man, didn't have enough of an excuse to justify self-defense. That's quite possible. But that's only my speculation.

Feingold:

There was a lot of talk in the trial about King using the expression "tamp up," that he sent these fellows over to tamp up Alberts, and what tamp up meant. Do you remember that?

Grossman:

I remember it a little bit. Well, it's not impossible, I suppose, that either King or Ramsay had the idea that a little bit of beating would do Alberts some good. It's possible. But that would not have included a knife. There's only one way a knife could have got involved, if that's what happened. They would have, maybe, beaten him up. But then he [Alberts] had to take out a knife, or a pistol. That's the only way it could have happened.

I seem to remember--my memory isn't very good--that he'd [Alberts] beaten up on some of the guys, not just vicious in certain ways, but beaten up on them. That's my recollection.

Feingold:

That's my recollection also, that he'd threatened someone with a knife, I think, on an earlier trip.

Grossman: It may well have been. After all, this is not so unusual that someone who beats up on others has people call on him to beat him up. It's never been considered a conspiracy to commit murder. You always hear about someone who says you beat up on my little brother or friend, and I'm going to beat up on you. You go, and sometimes you take one or two friends to make sure the balance of power is on your side.

That's far from what the headlines described it as--waterfront murder, and policy of murder and all that.

Feingold: They made it sound like the unions had a regular policy of having beef squads roaming the waterfront beating up and killing anyone who didn't agree with them.

Grossman: What they relied on, too, was the fact that there was no question that there were some beatings in the 1934 strike. I defy anybody to find any rank and file strike anywhere, especially a first strike, especially with workers who have just got organized where anyone who tries to scab doesn't get beaten up. I defy you to find it.

Sometimes you can't reach them [the scabs]. Sometimes they drive through the picket lines so fast in cars you can't reach them, and then they go back to their homes somewhere distant. But if the workers who are on strike can lay their hands on them [the scabs], in this and every other country in the world, they're going to beat them up. No question about it.

Their organizational period, 1934, was not far removed from the time of this case. If that's all it is proving--maybe this is why the trade union movement reacted so fast, because they saw this essential issue, the willingness of workers to beat up on strikebreakers or the vicious bosses. They don't do that very often, but they should more often, in my opinion. Then they wouldn't have vicious bosses.

VI CRIMINAL AND JUDICIAL PROCEDURES

The Arrests

Grossman: You wanted to know something about the way the prisoners were arrested and held?

Feingold: Yes. Do you want to comment on that?

Grossman: This showed what was going to come in the period ahead. This is something that is pretty well outlawed by now. It was then clearly illegal, but it was the normal practice of the district attorney's office in Alameda County.

That is, instead of arresting someone and taking him to jail, as the law says you must, you take him everywhere else but jail, because in jail there can be friends and there can be an attorney, especially an attorney. You can't keep the attorney from seeing him very long in the jail. But if you never go near the jail, and the attorney doesn't know where you are, then you can beat him up, you can intimidate him, you can bribe him, you can keep him without sleep, you can get a confession, you can get a statement, you can get what you want out of him. That's what they did.

I don't know how long we looked for them. It seems to me that we spent a half a day or a day trying to find them. I forget where we found them, somewhere else, or they brought them finally to the jail. And I forget how many were involved. I'm sure it was more than one. I'm pretty sure it was King and Ramsay. But from what you say, maybe it was Conner also. Maybe all three were treated that way.

Feingold: I think King and Ramsay were treated one way. I think Ramsay was taken first to the Piedmont jail. Conner was a different case because he was arrested in Seattle, and brought down by the DA's men from Seattle, and taken straight to the Hotel Whitecotton where he was kept for one whole night. Then the next whole day he was kept in the DA's office and still hadn't been booked in jail.

Grossman: There's no question that the Conner confession would have been thrown out in 1972, because the law has developed a lot since then. There's no doubt that if it were publicized that this had happened, public outrage would be rather great now, I mean, the hiding away of prisoners and not taking them to the jail.

There was quite a bit of outrage then, except that there was what they expected to achieve, a great deal of hysteria. The red-baiting had some effect and the labor-baiting had some effect. The waterfront unions were not so popular yet, so that Earl Warren didn't get a black eye, as he should have, from his treatment of the defendants after their arrests. But he certainly showed how the Earl Warren of 1936 acted and felt. I think he has changed. But it was pretty clear, not only in this way but in other ways, how he felt, how he felt about civil rights, about civil liberties, convicting the innocent, convicting at any price.

Feingold: Was it the Warren court that pretty much outlawed the hiding out of prisoners?

Grossman: I don't recall whether that's ever been outlawed as such. I'm trying to remember. I just don't know. It's always been known to be wrong and illegal. I just don't recall any particular decision, but the Warren court did more to outlaw these vicious practices in criminal cases than any other court. No question about it.

The Judge

Grossman: Now, my memory is so bad I can't think of the other things that he did to deny the defendants a fair trial. One thing he did was what every prosecutor

Grossman: tries to do, is to pick his judge, make sure he gets him, and make sure he keeps him. So he picked the best judge he could possibly get, not only in terms of agreeing with the prosecutor one hundred percent, but a reactionary judge, and I think that they always try to get, also, the smartest, reactionary, vicious judge they can get. I think Ogden was that.

Maybe that's why [Judge Edward] Tyrrell was gotten rid of, because Tyrrell was, I think, equally reactionary. I think Tyrrell had also been in the district attorney's office. Tyrrell was by no means as smart as [Frank] Ogden. I suspect that's what happened. So, he [Warren] juggled everything that could be juggled.

This was not the first time or the only time in a political case the government made sure that they got the best possible judge. The best example, of course, in recent years is the Chicago Seven judge, who was the worst for the defendants you could have found anywhere in the country. And the old doddard, or whatever you want to call him, who sat in the Spock case was also the worst one you could have got. So, it's a common practice in political cases. You know that if you get your judge carefully chosen it's going to make it a lot easier for you [the prosecution].

The Juries

Grossman: The other weapon, of course, Warren used was the grand jury. That grand jury would have never denied Earl Warren and the Knowland machine anything they wanted. When they wanted certain people indicted, they got it.

Of course, the jury that sat was chosen from a group of the population that were selected because they were much more likely to go along with the establishment and Earl Warren. The juries in those days, as I remember them from our attack on the jury selection in this case--were procured by phoning, or writing a letter to the banks, insurance companies, saying, "We want you to recommend people

Grossman: to serve--" And these people served. The ordinary worker or the ordinary person didn't have much of a chance to make it.

This would be clearly unconstitutional today. Today in most cases we use the registered voters list, though the change has not been made in the grand jury. The grand jury is usually selected about the way the petit jury was selected then, by calling banks and insurance companies and so on, and getting recommendations from them.

Warren, obviously, used this case to advance his political career. He'd never tried a case before as district attorney. He had no real role in this case, because he wasn't an expert in putting on a case. As a matter of fact, he didn't really present this case. It was his murder expert, Charlie Wehr, that did it.

But Warren was there to get his picture taken and asked a few questions of a few people. If you analyze the trial and whether he needed to be there in terms of anything he did in the court, it was very obvious that he was there to get the credit for the conviction, and to get the publicity from the presentation.

I can't put my finger on how I know it, but I know it was accepted by everybody at that time that it was this conviction that got Earl Warren the financial and political support that he needed to go up the ladder, and also the kind of publicity that in those days was the kind that could help you go up the ladder. The electorate in California wasn't very progressive in those days. Earl Warren's "good" name from having convicted these "murderers" got him more votes than his bad name with the labor movement for having done what he did. So, I'm pretty sure that's why he became attorney general, which may have been when he started to change [when he became attorney general], I don't know. I have no opinion on that.

The Evidence

Feingold: You said before that you wanted to comment on what you thought Warren was responsible for, in this case.

Grossman: Well, it's hard to say. As I say, I have no way of knowing whether he deliberately suppressed evidence that would help the defense. I'm pretty sure he did, but I can't prove it.

I don't know whether he deliberately put on perjured evidence, knowing that it was perjured. I can only judge him by the procedural things that he did, that were probably more important in influencing the result than putting on perjured evidence.

I mentioned the most important ones, the way he treated the defendants after they were arrested. His making sure he had the right kind of a jury. His making sure that they were indicted even though the case might have been weak. We do know--that's right in the pamphlet*--how [Frank] Corrigan went to the district attorney, it had to be to Warren, with evidence that would have helped the defense. Warren not only didn't put it on, but kept it from the defense, which incidentally would be grounds for reversal these days.

Well, you wondered if we knew beforehand what evidence the prosecution had. We didn't know very much. We knew some things, because it happened that we had on our defense team a lawyer, Myron Harris, who was well fixed with the establishment there. His father had been a presiding judge for thirty or forty years, so that he got certain rumors and stories and information that sometimes helped.

We may have had some advance notice as to who were going to be some of the witnesses, I don't know. It wasn't very much. The leaks weren't very great, if I remember right. We may have known a few little things, simply because of Myron Harris being on the

*See "The Ship Murder. The Story of a Frameup," a pamphlet published by the King-Ramsay-Conner Defense Committee.

Grossman: defense team, but not just because of that.
You'll find honest people very often that will
slip you some information, if they happen to know
it..

VII THE JULIA VICKERSON AFFAIR

Grossman: But the key question, really, in terms of Earl Warren, in terms of his integrity and his morality, was presented by the Julia Vickerson affair. These little bits of gossip and information that Myron Harris was able to get us, caused us to suspect maybe Julia Vickerson wouldn't be a good juror for us, so that a few more questions than usual--no, no, I think I'm wrong. My memory is wrong.

When we questioned her, when the jury was being voir dire, I don't think we knew anything about her. We asked her a few more questions than we would have asked others, because when she was asked the usual question, "Do you know any prosecutors or any police, etc?" she said that she knew Charles Wehr, who was the main prosecutor in this case. But then when she was asked to spell it out, she said she really didn't know him very well. She hardly knew him at all. After the conviction then we got some rumors that maybe she had known him better than she had said. I forgot what we did in terms of our investigation after the conviction as to Julia Vickerson.

Feingold: I think it was at that point that you discovered that Charles Wehr was the attorney for an aunt of Dr. Vickerson's. He had drawn up one of her wills.

Grossman: It may have been. I just can't remember. I seem to remember that we made some further inquiry, and then the matter rested for a couple of years, or whatever it was, three years, perhaps. I don't know. No, five years I guess it was. It must have rested for about five years.

It wasn't surprising that it came to our notice because it had to be done publicly, and there

Grossman: were a lot of people in Alameda County that would have realized the implications; so that we were then told that when Charles Wehr died, somewhere around four or five years after the trial, that Julia Vickerson, the juror, had filed a claim against his estate and claimed that he owed her over \$15,000.

The significant thing is that most of these loans, or at least half the loan of the \$15,000 was loaned to him prior to the trial, which was at a time when she said she hardly knew him at all. The loans were unsecured, and his salary at that time couldn't have been over about \$6,000 a year.

Now, you couldn't get a bank, and you could probably not get a sister-in-law or brother-in-law at that time, considering what the dollar was worth, to lend you \$15,000 unsecured, especially when your income was so limited. It would take you forever to pay it back. So, it was naturally suspicious.

I don't remember all the detail as to how this got to court. I know that a writ of habeas corpus was brought on behalf of Wallace because by that time King, Ramsay, and Conner were out of jail, and at that time--it isn't true today--you could not bring any kind of an action except habeas corpus, and you couldn't bring a writ of habeas corpus if the person was out of jail. Wallace was the only one in jail. That's why it was brought in his name.

We had this litigation to determine whether Wallace should come out of jail because there was a plant on the jury. That was the issue. Now, if we had got a good judge, I've always felt that Earl Warren never would have been on the Supreme Court. Because if that judge had ruled, and we had enough just from this claim--obviously she wouldn't admit when we subpoenaed her and put her on the stand, she wouldn't admit anything. We had heard incidentally, that they [Julia Vickerson and Charles Wehr] were very close and that he had fathered her illegitimate child. That's what we had heard. And we had heard that this child was the spitting image of him, and all of that.

Grossman:

We had enough, and we should have won. We should have won on the writ of habeas corpus. Now, winning would not have proved that Warren knew, but who would have believed in a case this important to him, the case that could blow up in his face if it was ever found out--he'd get all the blame for it and expected to get all the credit for it--who would have believed that any of his assistants would have dared put him in this spot without telling him that there was someone on the jury who was on their side? No one would have believed it. True or not, no one would have believed it.

Therefore, he never could have made it to the Supreme Court had we got a judge that decided it the way it should have been decided. Well, we got an old retired superior court judge from Los Angeles named [Hartley] Shaw. He decided against us. The [California] supreme court just accepted his finding. He was the referee they assigned to hear the evidence.

I felt, really, that this proved he [Warren] knew about it. Maybe not much about it. Maybe Wehr went to him and said, "Suppose there was someone on this jury that I knew fairly well. I'm sort of sure that this person would never vote against us. What would you suggest I do?" Maybe Earl Warren would say, "I don't want to know about it." Maybe it happened like that. My opinion is that he had to know about it.

This is one of the quirks of history. As a matter of fact, it might well have been that we might have got a good judge. We had a good attorney general then, Bob Kenny. Bob Kenny and I had to agree on a judge; at least we were going to agree on a judge. He said to me, "Do you have any suggestions?" I came up with one that might have come through, Max Radin, a good law professor, that Warren nixed [for California Supreme Court]. He didn't have the guts to take it, so he wouldn't take it.

I just couldn't think of a good judge. We were so poorly off in the state, that I couldn't think of a good judge or law professor. I finally gave up, and I shouldn't have. Maybe I should have,

Grossman: considering what Earl Warren did on the Supreme Court. Maybe I should have done just what I did.

Feingold: Then in your own way you played a very pivotal role in Earl Warren's career.

Grossman: By losing my case, that's right. By losing my case I enabled him to make the Supreme Court.

Feingold: By not pressing for a really good judge.

Grossman: Yes. I've asked myself this question, "Was I right or wrong? Was it good or bad? Was it good for society and the American society and so on?" It's a difficult thing to determine, but the important thing is--this is the thing that has to be written when Earl Warren's story is written--the Earl Warren that went on the Supreme Court was not the same Earl Warren that was a prosecutor in Alameda County from the standpoint of morality, constitutionality, and sweep. He was narrowminded and limited in his concepts in Alameda County.

He wrote a very interesting article in Fortune, or some big circulation magazine, I forget which, soon after he went on the Supreme Court, in which he really explained it; that he'd read history, and began to see the role that he could play. In other words, he'd grown up in many ways, and began to get a sweep and feeling for history and his role in it.

So, this is the real story that ought to come out, not just Vickerson really. That [the Vickerson affair] just illustrates that he was a kind of a small town DA that would do things to win his big case. The big story is the change in character of Earl Warren from the time he was a prosecutor until he was the Chief Justice of the U. S. Supreme Court. In almost all fields, including fields he really didn't know anything about before, whether it be labor or political rights or what, he was good [on the Supreme Court]. This included simple criminal rights, where his early background would have so trained him so that you would have said it would be impossible for him to be a good Supreme Court justice on simple criminal questions, confessions, and warnings, constitutional rights and that sort of thing.

Well, that's a little bit aside.

VIII THE CASE AND THE 1936-1937 STRIKE

Feingold: One of the things you said you wanted to comment on was the trial being timed to coincide with the strike?

Grossman: Well, the trial started. They rushed it to make sure it started before the strike. I forget how long, but I think a couple of weeks. It might have been a month. I don't know whether Warren arranged it or the Waterfront Employers arranged it, but the use of the newspapers to tell this story was just incredible.

Now, the way they brought Communism in was, they called Earl King a Communist, and especially the Sakovitz and the [Lawrence] Ross business. In other words, the red herring was Sakovitz, because they really couldn't have said that King had much to do with it. The most they really said was that he sent someone over to beat up on Alberts. But Sakovitz--there's a Communist that did it, you see, they claimed. He was their red herring; he and Ross were their red herrings.

They needed this red herring, they felt, to tell the story the way they wanted to tell it in the newspapers. I think it boomeranged on them. I think if you write a careful history of the 1936 strike, 1936 and 1937, you'll find that it was the King, Ramsay, Conner case that brought the waterfront workers along to an understanding.

You see, in 1934 they got a bit of a lesson. This is the kind of an education that really makes workers more militant and makes them fight harder. The first thing they've got to learn is how bad their employers really are, and what their employers really intend to do with them, that their employers really don't care whether they're human beings,

Grossman: whether they live or their families starve or what.

The next part of their political education, which makes them much more effective fighters, is learning that the employers aren't just the employers, but the employers control the government. They'd begun to learn some of these things in the 1934 strike. In 1934 they learned about the police. They learned a little bit about the prosecutors, but not too much about the courts. But here in King-Ramsay-Conner they really saw it. They saw it aimed at them, through the frame-up of the second most important leader in the maritime unions.

They clearly saw it as a frame-up. They knew, therefore, the extent to which the employers would go, and the government would go. And they, therefore, weren't just going to buy anything from this government, and if the government ever had any chance of calling this strike off earlier, they lost it, it seems to me. It boomeranged on them. There's no question about it.

Instead of wiping out the maritime unions, they were, of course, much stronger and much more solid. They weren't very solid after the 1934 strike, you know. It comes through pretty clearly in the Bridges book. They were solid when they'd been through this baptism of political fire in the King, Ramsay, Conner case.

If you study the campaign [around the King, Ramsay, Conner case] you will see that it was not just getting some lawyers and getting some publicity. This was a real mass affair. You had tens of thousands of workers involved. You must have had thousands of local unions that passed resolutions. You had hundreds of thousands, at least, of pieces of material distributed. I don't know how many leaflets, but the pamphlets must have gone into several hundred thousand.

All the waterfront workers probably knew every last bit of detail of it, and most of the other workers, on the West Coast, anyhow, did. So, it was a tremendous educational force, and political force, this defense.

Feingold: It seems to me that the employers and the government were shifting gear, in a sense, and trying new, more sophisticated tactics, not resorting to outright police violence as in 1934--

Grossman: Oh yes. Oh, it failed so dismally. The Bridges book tells that story so clearly, how it boomeranged and failed. They found they can't do that. For one thing they're going to get a lot of police beaten up too.

So they decided to try it this way. It would be interesting to see who was their-- I can't think of the metaphor that describes the person that is sitting behind them making the policy decisions-- but it would be interesting to know who, for the Waterfront Employers or the Industrial Association, made this decision, and said to Earl Warren, "We're going all out. We don't care how we do it. We want these men convicted." And maybe told him which ones they wanted convicted, "pick King," for example.

Maybe they [employer groups] killed Alberts in order to have the case. It's not impossible. That's how things have been done before. In other words they may have arranged so that the complaint was made to King so that King would send someone, and then maybe after someone called on him, maybe it was someone who had nothing to do with the Marine Firemen, who came in there and did it. But they could blame them. It's not at all impossible.

Feingold: Well, there is this unknown sailor who kept appearing all through the trial.

Grossman: Yes, it's quite possible, quite possible. But, anyhow I've got no evidence except that I know they're quite capable of it. That's all.

[Interruption]

IX THE KING-RAMSAY-CONNER DEFENSE COMMITTEE

Feingold: Do you want to move on to the defense committee?

Grossman: Well, I've been talking about the defense committee, probably everything that I remember. I remember that Miriam--who was then Miriam Dinkin, who is now Miriam Johnson--was a terrific worker there, because she really had the feel for rank and file work, organizing.

I don't think she's the one who got the pamphlets written. I don't think that was her special specialty, but whoever it was, was good at it. We had some good labor journalists. I think Lee Coe wrote one of them. I forget who wrote the other one, maybe Estolv Ward, I don't know. The point is that we had a lot of good labor journalists and that was no big problem.

We had lots of people who knew how to organize and move unions, and send speakers around and that sort of thing. But it was a real good rank and file committee. I believe the committee was always a committee from the Firemen's Union that was the basic committee, rank and filers, if I remember right. I don't remember it as a big shot committee. I think it was fifteen or twenty rank and file firemen, that's how I remember it.

Anyhow, it was one of the best, and I've seen some pretty good ones, and I've seen some pretty big efforts, like the Bridges defense committee. This was as good as I've seen. I'm not saying it was better than Bridges'; it was sort of a different quality.

Considering the job it had to do, and the time it had to do it in--and the main concentration that was necessary and vital was to organize and move

Grossman: the trade union movement of these three states, not to win over lawyers and professors and so on who couldn't have been won over very fast in time or in large numbers--they did an excellent job.

Feingold: I've been looking over the files of the defense committee--and I'm very impressed with what they did.

Grossman: Well, these are excellent pamphlets too, incidentally. It's a real problem to write a pamphlet that's fully factual and political and well written. It makes the case, you know, having a good pamphlet. Then, of course, you've got to get it out. Getting it out isn't so easy. You've got to have thousands of dedicated people go out and sell them.

Feingold: I gather they had some trouble in San Pedro?

Grossman: I don't recall that. Do you mean with the pamphlets?

Feingold: The defense committee down there in general. I also gather that the MFOW had trouble with the San Pedro branch, that it was always more conservative.

Grossman: That I don't know. I'm sure the San Francisco branch was the best, first.

Incidentally, that's something very interesting. It may have been that the Waterfront Employers had a lesser goal than I indicated. I indicated a rather big project, to break the maritime unions, to cause the strike not to take place, to cause the strike to be lost, to cause the strike to be less successful.

Maybe their goal wasn't that great. Maybe their goal was just to take away leadership in the Marine Firemen's Union from the radicals, and keep it, as they did from that time to now, in the hands of conservatives or reactionaries, red baiters and disunifying forces that would break up the Maritime Federation and refuse to cooperate with the other unions. Now that could have been their only purpose and on the basis that if they could get King out of the way they could accomplish it.

Very often, you know, there's no good radical, left-wing, or militant guy that can get elected.

Grossman: If you get rid of the guy that can get elected then you've got anything you could want. It may have been that was it. But, at least, that was the effect of it. There's no question about that. That union has been going down, down, downhill in terms of maritime unions, and in terms of unity, in terms of progressive qualities, ever since then.

X KING AND RAMSAY AND THE FIRST BRIDGES
DEPORTATION HEARING

Feingold: Do you want to discuss King's testimony at the Bridges deportation hearing?

Grossman: Just to say that it was one of the most moving experiences I've ever had, and I've had some pretty moving ones, one of the most dramatic experiences.

Feingold: How so?

Grossman: Well, it was in a prison. You don't usually hold hearings and trials in a prison. So, here the whole entourage--Dean Landis, the lawyers--go to prison because there's someone who can tell us something.

He [Earl King] starts out, tells how he got this call at the prison saying there's someone important to see you. This was a very significant thing, because it had to be set up. You don't wander into a prison and say you want to see a prisoner. You just can't see him like that.

In other words, he [Stanley Doyle] came in under big auspices. Then he said, "How would you like to get out of here? I can get you out of here." When you think of the guy who has been there for three or four years--two years--but anyhow, he was expecting to stay there for fifteen or twenty. At King's age when he expected to get out, his life would have been lived. So, someone says, "You don't have to spend the important part of your life in prison. I can get you out." So, you're building up some incredible drama, even if you stop there.

Grossman:

I forgot the words that King used, but they're something like this: "I have to live the rest of this life with myself and facing myself. I could never do that if I lied about Bridges just to get out of here." I think it was something like that. Then he broke down and cried.

I would have given almost everything I had to have been concealed and have a camera trained on Dean Landis and each of the people there. But it was just incredibly dramatic, especially when you know what Bridges represented.

You didn't feel any of that, or not much of that, when Ramsay testified, or when his wife testified. He was cold, sort of matter of fact. I never thought through why it was. It could have just been the character of the Ramsays, or the idea that they could testify against Bridges would be so far out that they never thought it was possible, without just destroying themselves completely, making fools of themselves. Maybe that was it, for Ramsay was no radical at all.

But on the other hand King would have been in a position to testify as he was close enough to Bridges and he was a radical--neither of which Ramsay was. Maybe that's why Ramsay and his wife didn't really take it seriously. They just felt they could never get away with it. Perhaps, I don't know.

Feingold:

I seem to remember Kamsay's wife sounding almost as if, if she could have said something helpful she would, but she just didn't know anything. She had no knowledge at all of Bridges' activities.

Grossman:

It's quite possible she said something like that. She was just sort of frivolous; certainly not a dedicated trade union member.

XI OTHER DEFENSE ATTORNEYS

Grossman: [Referring to interview outline] Well, have we run out of things practically? There isn't much I can say about the people that I haven't already said.

George Olshausen was a very interesting guy, the lawyer's lawyer who spent his life in libraries. He's not very practical. He's a brilliant lawyer. I forget what role he played in it, advising--

Feingold: He participated in some of the appeal briefs.

Grossman: Oh yes.

Feingold: Is he still alive?

Grossman: Oh yes. He's still around. He wouldn't be able to help you very much. He would just talk about the legal points. If you want that, he could do it for you, I guess.

Myron Harris was an interesting guy, a friendly guy, not a stuffed shirt, as most successful lawyers are. I don't know what's happened to him recently over the years. He's had trouble with women. He always wanted a new, young and attractive wife. They are always taking him. [Laughter] I don't know how many divorces he's had in the last few years.

Feingold: Was there any problem when he first joined the defense, of your not trusting him, or having to learn to trust him, because he was coming out of a completely different milieu?

Grossman: Oh, I don't know. I wouldn't trust him completely at first. I don't remember any discussions about it. But I wouldn't have trusted him very much at

Grossman: the beginning, and I probably didn't at the end trust him completely.

If you know anything about lawyers, you're not going to trust a lawyer just because he's on your team. He doesn't change overnight. If he is on your team because he's dedicated, and not because he's getting a fee, that's different. But he never came on the team because he was dedicated to what King, Ramsay, and Conner stood for. He came in because someone had employed him.

It might be that he wouldn't sell you out, but also it might mean that he'd talk loosely, and there's a lot of things you talk about and plan that it would be better the district attorney didn't hear about. So, there's nothing unusual there. I would say that he came through better, considering that he came into the case only for a fee, than most lawyers would have. I think probably because he was--I think, by and large, if I remember him right, he was an honest lawyer.

There're a lot of successful criminal lawyers that aren't very honest. I always remember him as an honest lawyer. Maybe he's done some things that are dishonest that I've forgotten, but as my wife says, I always remember the pleasant things and forget the unpleasant things. I can't remember even when someone dies, you know. [Laughter] As I say, he does stand out, in that sense. I could name a lot of successful criminal lawyers around here that I wouldn't trust, that most lawyers wouldn't trust. So he comes through better than most.

I don't know that he was very useful, because it's generally believed that if you're in a strange area or strange community the important thing for you is to get the most successful lawyer there. He'll be successful; he will know his way around; he'll get information; he will be able to do things no one else can. But this is generally the opposite of the truth in a political case. In a political case you get things by fighting. You don't get them in the old ways. This guy is not prepared to cut his bridges. You'll always find that if you get such a lawyer he's not only not much good to you, but he's always hanging back and maybe counseling

Grossman: you not to do this, don't take on the judge, and don't do that, and so on. He can't do it, because he'll find out he ain't [sic] nothing, afterwards, if he does these things.

Feingold: How much did you try to take on the judge during the trial?

Grossman: Well, I can't remember. Probably not very much. Some judges just won't let you take them on. I mean, there's just no sense in your being in contempt every minute, and not much chance of success. I can't remember.

I don't remember either anybody taking him on very much or anybody cowtowing to him. I just don't remember. I think maybe the lawyers were a little too quiet when it came to the newspapers. If I were doing it today--remember, I wasn't about to be taking a lead in anything, just having been admitted two months before--if I were doing it today, I'd probably be doing really the most that could be done, and it wasn't too easy to do, with the newspapers. If it could only be an oblique criticism of the judge and the DA, it would have been that, I think. But it might not have been possible to do more in court.

Feingold: Did you want to comment at all on Henry Levinski?

Grossman: No. Except to say that I don't think it had any real meaning. He was just a lawyer that didn't belong in this kind of case. He realized he didn't belong in this kind of case, and stepped out of the case. Maybe he was helped out, I just don't remember. But this was a political case, and everyone that got close to it realized it.

By a political case I mean a case where things happened not because they were the usual things that happened in court or in a prosecution, but because the government, acting through the district attorney and the police and the sheriffs and many other departments that acted and the judges--there may have been others, like the state attorney general, I'm not sure, I don't remember--has a job to do. They see their job and they do it. Their job is to convict for political purposes, and they make sure that everything gives, the usual

Grossman: legal principles, the laws, everything else gives. It was very clear, very soon, in this case that it was political. It would mean that if anyone got in the way they could get hurt. So, some people didn't want to get in the way.

Feingold: They cleared out as soon as they could.

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INDEX -- Aubrey Grossman

agricultural workers:

 organizing, 7

Alameda County district attorney's office, 4, 17, 18
 and maritime labor, 4

Alameda County Grand Jury, 19, 20

Alberts, George, 12, 14-15, 29

Andersen, George, 1

Billings, Warren, 9

Bridges, Harry, 1, 6, 10, 11
 deportation hearing, 1939, 10-11, 33-34

California State Federation of Labor, 5

Coe, Lee, 30

communism:

 Red-baiting, 3, 5, 27

Conner, Frank, 8, 17-18, 24

Corrigan, Frank, 21

criminal procedure, 17-18

 arrests, 17

 confession, 18

 evidence, 21

 jury composition, 23, 24

 jury selection, 19-20

Dinkin, Miriam. See Miriam Dinkin Johnson

Doyle, Stanley, 33

Gladstein, Richard, 1

Grossman, Aubrey:

 background, 1-2

 criminal procedures in KRC case, 17-22

 Harry Bridges' deportation hearing, 33-34

 in court, 37

 Julia Vickerson affair, 23-26

 relations with defendants, 8-11

Harris, Myron, 21, 23, 35-36

Huberman, Leo, 7

Johnson, Miriam Dinkin, 30
judicial procedure, 19

Kenny, Robert, 25
King, Earl, 3, 6, 8-12, 14-15, 17-18, 24, 27, 29, 33-34
 after prison, 8
King, Garfield, 11
King-Ramsay-Conner case. See shipboard murder case
King-Ramsay-Conner Defense Committee, 30-32
 support from labor, 4
Knowland, J. R., 4, 5, 19

labor:

 maritime, 12-14
LaFollette Committee, 6
Landis, Dean James, 33-34
Larrove, Charles, Harry Bridges, 3, 5-6, 28-29
Levinski, Henry, 37

Marine Engineers' Beneficial Association, 9
Marine Firemen, Oilers, Watertenders, and Wipers Association,
 9, 29-31
Maritime Federation of the Pacific, 31
Mooney, Tom, 9

National Labor Relations Act, 6

Ogden, Judge Frank, 19
Olshausen, George, 35

Radin, Max, 25
Ramsay, Ernest, 8-11, 14-15, 17-18, 24, 34
Ramsay, Gwendolyn, 34
Ross, Lawrence, 27

Sakovitz, Ben, 12, 27
San Francisco Industrial Association, 6-7, 29
San Francisco Waterfront Employers Association, 6-7, 27, 29, 31
Scharrenberg, Paul, 5
Schmidt, Henry, 1

Shaw, Judge Hartley, 25
shipboard murder case, 1 passim.

strike:

1934, 16, 27-29
1936, waterfront, 3-4, 27-29

Tyrrell, Judge Edward, 19

Union Recreation Center, 1

Vandeleur, Edward, 5 n.
Vickerson, Julia, 23-24, 26

Wallace, George, 12, 15, 24
Ward, Estolv, 30
Warren, Earl, 3-5, 18-21, 23-27, 29
campaign for attorney general, 4, 20
waterfront employers, 6
Wehr, Charles, 20, 23-25

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Myron Harris

A DEFENSE ATTORNEY REMINISCES

An Interview Conducted by
Miriam Feingold



Myron Harris

TABLE OF CONTENTS - Myron Harris

INTERVIEW HISTORY	1
BACKGROUND AND EDUCATION	1
PLAYING FOOTBALL	2
ON THE DISTRICT ATTORNEY'S STAFF	5
PRIVATE PRACTICE	8
Leo Sullivan	8
The Tong Wars	8
The <u>King, Ramsay, Conner</u> Case	10
APPENDIX	20
INDEX	21

INTERVIEW HISTORY - MYRON HARRIS

Myron Harris was interviewed by the Earl Warren Project of the Regional Oral History Office in order to capture his reminiscences of his work as one of the defense counsel in the King, Ramsay, Conner case, and to record his impressions of his years in the Alameda County district attorney's office.

Interviewer: Miriam Feingold

Conduct of the

Interview: A single two-hour session was held on June 14, 1972 in Mr. Harris's cool and spacious home in the hills of Piedmont, California. At the time of the interview, he was ill and confined to his bed, but was remarkably alert and eager to assist the Earl Warren Project. He spoke slowly, but the sharp wit that had helped him become one of Alameda County's most prominent criminal attorneys was still much in evidence.

The interviewer sat in a comfortable overstuffed armchair, near Mr. Harris's bed, the tape recorder inconspicuously placed on the floor.

Jim Brannan, an undergraduate student at the University of California, Berkeley, who was writing a paper on the King, Ramsay, Conner case, accompanied the interviewer and asked several questions of his own, but left before the session was completed. During the two-hour session, several friends of Mr. Harris's dropped in to say hello. One friend, George Johnson, an inspector with the Oakland Police Department, added several comments to the interview.

Mr. Harris's nurse-secretary helpfully fielded telephone calls and made sure that neither friends nor the interview tired her patient.

The interviewee's enjoyment in participating in the project was evident in a letter he wrote to the Regional Oral History Office shortly after the interview session. The letter is included as an appendix.

Mr. Harris died on August 23, 1973.

Editing: Editing of the transcribed interview was done by the interviewer. The edited transcript was sent to Mr. Harris for corrections, additions, or deletions, but by the time it arrived he was too ill to make any changes. He conveyed the request, however, that some of his sharper remarks be softened. In view of these circumstances, the interviewer re-edited the manuscript more carefully, deleting several passages that were not essential to the story. Since Mr. Harris was unable to check step by step for accuracy in names and dates, researchers should take special precautions to corroborate the information with other records and interviews.

**Narrative
Account of the
Interview:**

In view of Mr. Harris's poor health, the interview was limited primarily to his participation in the shipboard murder case, although his earlier career was briefly explored.

Mr. Harris notes that he was born on March 15, 1888 in Piedmont, California, and attended the University of California in Berkeley, but never graduated. His university career was highlighted by his playing for the All-American Football Team, which toured Australia and New Zealand.

Studying law "on the side," he passed the bar examination and entered the Alameda County district attorney's office in 1912. On the staff for eight years, Mr. Harris tried murder cases primarily. Among his most prominent prosecutions was the case of Anita Whitney, an active Socialist and "mouthpiece for the downtrodden woman," who was convicted under the criminal syndicalism statute.

Mr. Harris explains that he left the district attorney's office for a more lucrative career in private practice. He joined forces with Leo Sullivan, a criminal attorney with a reputation as a crack trial lawyer. Mr. Harris's clients covered a broad range of the East Bay population, and included the Bing Kong Tong, a Chinese gang that fought in the Tong wars, as well as Ernest Ramsay, arrested with Earl King, Frank Conner, and George Wallace for the shipboard murder of Chief Engineer George Alberts.

In joining the King, Ramsay, Conner defense, Mr. Harris was the only attorney not already associated with the defense of San Francisco's militant labor leaders. As such, he notes, he initially was distrusted by the other attorneys,

who suspected that he might be a plant. But quite early in the case, he explains, he earned their trust by never betraying any confidences.

Mr. Harris comments insightfully on the other defense attorneys, the prosecution team, and the defendants. About the guilt of his own client, Mr. Harris remarks that "he was just sucked in." Throughout the interview are Mr. Harris's peppery comments about District Attorney Earl Warren.

Miriam Feingold
Interviewer-Editor

From Oakland Tribune, 24 August 1973

Funeral Monday For Myron Harris

Funeral services will be held Monday for Myron Harris, 85, one the Bay Area's most colorful criminal trial lawyers, who died Wednesday evening at his home, 111 Florida Ave., Piedmont.

A native of Pleasanton, Mr. Harris was a graduate of the University of California Boalt Hall school of law.

Following his graduation and admittance to the Bar, Mr. Harris was appointed to the Alameda County District Attorney's office. During his career there, he was described as a "hard-driving" prosecutor, winning most of his cases, one of which was the famous Anita Whitney syndicalism case in the '20s.

When he left the D.A.'s office in 1921, he was to gain fame as a criminal and divorce trial lawyer. He was a defense counsel in the Free Lot Racket case in the '20s;

Alameda County Sheriff Barton Becker's graft (bootlegging) case in the '30s; and the Alameda City Administration scandal, which involved the theft of building materials.

Mr. Harris was a member of the State and County Bar Associations, and the Big-C Society of the University of California, where he earned his letter in football.

Services will be held at the Albert Brown Mortuary, 3478 Piedmont Ave., at 10 a.m.

Former Alameda County Superior Court Presiding Judge S. Victor Wagler will officiate at the service. Judge Wagler in recent years had been associated with Mr. Harris in private law practice.

Mr. Harris, survived by a brother, Neal of Oakland, was the son of the late Judge T.W. Harris, presiding judge of the Alameda County Superior Court.

BACKGROUND AND EDUCATION

Feingold: Could you tell me when you were born?

Harris: Yes. March 15, 1888.

Feingold: And was that right here in Piedmont?

Harris: No, I was born in the little town of Pleasanton, around here in California.

Feingold: Were your parents from California?

Harris: My mother was, but my father was from Massachusetts, I believe. I'm not positive about that, where my father was from.

[Interruption]

Feingold: You mentioned earlier that you spent some time working for the Alameda County district attorney's office. Did you go into the DA's office straight out of law school?

Harris: Yes, I did. I was born in 1888 on March 15th and I went into the district attorney's office in 1912.

I didn't graduate from the University of California. You see every place you look now that I graduated from the University of California. I didn't though. I quit. I went to the University of California two years and a half. I was devoting my time to football, basketball and to baseball and damn little for my studies. So, I figured out that I'd better get out of this place and go and study law on the side. And that's what I did do. I studied law on the side.

PLAYING FOOTBALL

Harris: I went to the University for two years and a half. At that time I played on the rugby football team. Rugby football. They said, "We'll get the best rugby players that we can find in America and send them to Australia and to New Zealand." And I was fortunate enough to make the team.

So I went as an All-American to New Zealand --

[Interruption]

Harris: -- Yes, I was a ball player on the All-American football team. I went to Aukland. I went to Christchurch and Wanganui and all those places, and Maoris.

One time when I was at Wanganui, one of our ball players got hurt, Monty Morris, a little Jewish boy. We have a private car, not a train but a private car.

Monty said that he would rather stay in the car, that he didn't want to get into a hotel. The coach said, "If you can bear the weather." The seasons are worse down there, you know. He said, "All right. And who will stay with Monty?" And he kind of laughed.

I said, "Hell, I'll stay with him. You only die once; what the hell's the matter? I'll stay with him." The long-haired guys that were the ball players on the team, they just said, "Well, let him stay."

So, at about -- they closed the town up, padlocked it at about nine o'clock. You couldn't get in a pub after nine o'clock to save your damn neck. So, at about eleven o'clock, Monty said, "It's so damned cold, Myron. Get me anything." And I said, "You know that every place closes down at nine o'clock." Well, he said, "Can't you do something for me?" And I said, "Well, I'll go out and look, Monty, and see."

Harris: I ran down the street and thought I was going to pound on the door of the hotel. I pounded on the door, and it wasn't two minutes before a couple of bobbies grabbed me and said, "What the hell are you doing there?" I told them.

They said, "Yeah, I can tell by your baggy pants that you are an American." And I said, "Well, thank Christ you can tell by something that I'm an American anyway. I've got to find something to eat and something warm to drink." One of the bobbies said, "Well, the place closes down." So, I said, "This is a hell of a town to live in. Isn't there any place at all that I can get something warm for this poor guy to drink? He's freezing to death." We only had heaters in the damned car. One of the bobbies said, "About ten blocks down here, a man died and they're having a wake. Every hear of a wake? I said, "Certainly, I've heard of a wake." Then he said, "Well, they're sitting up with the dead body. You ought to go down there."

I said, "Well, I'm looking for something hot to drink for this poor guy that's so damned cold here." He said, "Well, you go down there and you'll see."

This guy had been hurt that afternoon in the football game. I'd been in the middle of the football game, too. I went down there and first of all--those Maoris don't shake hands, they rub noses. Some guy came over to rub my nose and I darn nearly poked him in the jaw right then. Some young girl--they mature early there, I would say she must have been about fourteen or fifteen--she came up. I told her what I wanted.

She said, "You're one of the Americans, aren't you?" I said, "Yes, ma'am." She said, "I saw you there today at the football game. You got into a big fight there." I thought, "Jesus Christ. I don't want to say that I didn't get into it because I know that I was in it." I said, "Yes, Some man jumped on me and I was just trying to protect myself."

She said, "Well, that isn't the way it looked to me. You had two men on the ground and were kicking them and knocking them around." I said, "I don't remember all the details." She said, "Well, you kicked the man right in the stomach." I said, "I don't know that I kicked him in the stomach. I was just trying to protect this little boy who was hurt. A kick in the stomach is worth two in the ass, if that's what you're asking about." She said, "You're the man, all right."

She said, "You almost poked one of our men in the jaw right now!!" I said, "Well, my God, he tried to kiss me." She said, "We rub noses, not kiss. I said, "Let bygones be

Harris: bygones, I'd like something to eat. I have a sick boy who is with me in the car out there."

She said, "We'll give him something to eat." And I said, "Well, I'll bring it to him, and I'll bring the dishes back when he gets through." So, she did. She was very, very nice. I took the stuff to Monty, some hot stuff, which was what he wanted. I took the stuff back to the car and stayed all night with Monty.

So I had a lot of experiences.

Feingold: Yes. That's quite a story.

Harris: Well, that's a thing with the All-American football team. All right, honey, what else do you want to know?

ON THE DISTRICT ATTORNEY'S STAFF

Feingold: How did you get your law degree, then?

Harris: I studied on the side.

Feingold: At Cal?

Harris: I studied at home. Some guy who had been an instructor at the University instructed me in law. And then I passed the bar examination.

Feingold: You applied to the district attorney's office then?

Harris: Yes. My father was a judge down there. There were about ten or twelve deputies there. Earl Warren was a deputy DA at the city hall. I tried cases for about a year at the district attorney's office, and then I went into private practice.

Feingold: How long were you in the DA's office?

Harris: About eight years. I went in in 1912 and I came out in 1920.

Feingold: You weren't there then, when Warren was chosen as district attorney?

Harris: No, no I was not. When I knew him, he was a deputy DA when I was there.

Feingold: Oh, he was a deputy?

Harris: When I was there. And a fellow named Frank Shay who lived in Gilroy, who's dead now, was deputy and he had Mel Chapman as his backer. When the chips were down, Earl Warren got in [as DA] and Frank lost out. Shay quit the district then. He went down to Gilroy and had a ranch down there.

Feingold: What sort of cases did you try when you were in the DA's office?

Harris: When I left the district attorney's office I was trying practically all of the murder cases. They didn't have the crew of murderers that they have now. But I was trying all of the big murder cases.

Ezra Decoto, who was the district attorney, was having a big party, and he asked me to go. I had a date that night, and I said, "No, I'm not going." He said, "Well, this is the district attorney's party." And I said, Well, I don't give a damn. I do the work that's assigned to me, and one of them isn't attending dinner parties." So then he said, "I'll tell you what I'll do. I'll give you the Anita Whitney case to try." And I tried the Anita Whitney case.

Feingold: You tried the Anita Whitney case? I didn't realize that.

Harris: Yes, I did. I tried the Anita Whitney case. I and a fellow named Crockins, who was a cover-over for the district attorney. A silent partner of the district attorney's.

Feingold: But he wasn't in the office, then?

Harris: Yes, he was. Yes, I tried the Anita Whitney case.

Feingold: How did that case turn out?

Harris: She was convicted and then she had some big high-powered lawyers from San Francisco. She was given probation by Judge Quinn. Judge Quinn was sitting, a popular fellow. The San Francisco lawyers had enough pull to get her probation.

Feingold: She came from quite a good family.

Harris: Oh, she did, she did. She was, in the public eye, a mouthpiece for the downtrodden women. Yes, I tried Anita Whitney. I got very unpopular with a lot of people.

But I didn't give a damn. As I say, you have a right to your own opinion. You can think I'm an eighteen degree son-of-a bitch, if you want to, and I don't care, and that's the truth of the matter. I wouldn't be saying what I do about Earl Warren if I had been trying to cater to the public. Right now, I would say that Earl Warren is a very popular guy.

Johnson: He's criticized quite a bit. Every once in a while there is a write-up by the liberals--

Harris: Tears as big as apples will roll down their cheeks when Earl Warren dies. You won't see tears on my cheeks.

Feingold: J. Frank Coakley is still around the DA's office. He still has an office down there. Frank Coakley is district attorney emeritus.

Harris: Frank Coakley. Oh, yes, I heard about him. But that doesn't make me one that kisses their feet because they had a big job. That's why--Earl Warren, right now if you asked him, he'd think me one of the biggest s.o.b.'s that he ever knew, I guess, if he remembers me. And I don't give a damn whether he remembers me or not.

PRIVATE PRACTICE

Leo Sullivan

Feingold: Well, when you left the DA's office, did you go into private practice?

Harris: Yes, I went in with Leo Sullivan. He was my partner for a long time.

Well, his mother came to me and said, "Myron, will you help Leo out? He's getting no place, fast." I said, "Sure."

He and I tried cases down here. Earl Warren hated Leo and me because for three years we never had a man go to San Quentin, never. We got them off. And that's one of the reasons Earl Warren doesn't like me.

Feingold: That did nothing for Earl Warren's batting average.

Harris: And that's what happened, honey. Leo's dead now.

Feingold: He wrote some of the appellate briefs in the shipboard murder case.

Harris: Yes, he did. He did a good job on them, too, honey.

The Tong Wars

Feingold: Why did you leave the DA's office?

Harris: There was a big criminal field and I could pick and choose the clients that had money. I made several hundred thousand dollars, just defending those that had the money. I figured then, that if

Harris: I had spent eight years in the district attorney's office prosecuting, I might as well go out and do it.

For instance, the Tong wars. Do you know anything about the Tong wars, honey?

Feingold: I've heard about them.

Harris: The defendant, the Bing Kong Tong-- here's what happened.

One day, Captain Helms, in the district attorney's office, said to me, "Myron, two San Francisco officers are coming over. They want to pick up a man out here. Will you go to dinner with us because I always take the officers to dinner and pay for them."

Well, at any rate, these officers came over and after we left them, I said, "George, let's go down to the Free Employment Bureau." I hadn't taken my gun, nor my club, nor my handcuffs, because I'd gone to a nice restaurant in Oakland. So, he said, "All right."

We went down and I was looking over these Communists. What they were doing during the first World War, the Communists were putting wet phosphorus bombs in the hay stacks out here and burning up whole fields, and putting potassium cyanide in the horse troughs and poisoning the horses and cows. They were rough boys, there's no doubt about that.

So, I went down there, and all of a sudden I heard one of the fellows go by in the damn old Model T Ford, yelling "Stop those two men, stop those two men! I just saw him shoot a man over at Tenth and Webster." The Free Employment Bureau was at Ninth and Franklin at the time.

So I started after him. I was a younger man than Captain Helms. Just as we saw him go up the Bing Kong Tong headquarters, I grabbed one of them by the neck and then twisted his head off his shoulder. That guy had taken two shots at me. Just as he went up the stairs he turned around and took two or three shots at me. They came right down by my feet. So, I wasn't very pleased with him that he would shoot at me, see? They sent him to San Quentin, and I got out of the district attorney's office.

One of the first things that happened when I got out of the district attorney's office, the phone rang one day, and a guy with a Chinese accent said, "You don't know me, Mr. Harry" --a lot of them called me Harry then. I said, "All right, what's your name?" He said, "My name is Louie Hing."

Harris: I said, "We know who you are." He said, "You know me?" I said, "Yeah, you're a person from the Bing Kong Tong. And Louie Abdoor is the secretary." He said, "I never, never know who you are." I said, "I know who you are, don't worry."

He said, "The Tong war is on and we're afraid to come out because there's a price on my head of five thousand dollars and twenty-five hundred on Louie Abdoor's head for the man who kills him."

"Well," I said, "I'll go down to the Bing Kong Tong headquarters. He said, "You'll go down there?" And I said, "Sure, what the hell. You only die once. So I'll go down there."

So, I went down and we went upstairs and he said, "You aren't afraid of anything." I said, "No, I'm not afraid." He said, "You want to work for us?" I said, "Yes." Times were kind of poor then, down this way.

He said, "We've run into a situation. We're transporting gunmen, Chinese gunmen, to Sacramento and to Stockton. They pay you a hundred dollars for every man that you take to Stockton and hundred and fifty dollars for every man that you take up to Sacramento." I said, "Well, where do you want me to deliver them?" He said, "The Bing Kong Tong headquarters. You have them hiding in the back [of the car] on the floor and we'll pay you that amount." I said, "All right." He said, "And we want to hire you for our lawyer and for every man that you defend--they didn't have any man arrested for anything less than murder--we'll pay you five thousand dollars."

Well, five thousand dollars was a big sum of money to me, honey. So, I defended the Bing Kong Tong for years. And then afterwards, I became their attorney. And I made loads and loads of money that way.

[Interruption]

The King, Ramsay, Conner Case

Feingold: I'd like to talk a bit about the shipboard murder case, where you were a defense attorney. I think Jim Brannan has some questions.

Brannan: This is the testimony before the grand jury [Reading from King-Ramsay-Conner Defense Committee pamphlet, "Not Guilty! The Ship Murder Frame-Up."].

[George] Wallace drones on. "So they went in there and he said, 'We will go in the fiddley,' he said, 'and you go on the other gangway there.'"

"Who did he [Sakovitz] say that to?" says Hoyt.

"To me, and he said, 'If you happen to come up from a stairway or from a poop deck or from a forecastle, why,' he said, 'you give the signal.' So he said to the other two sailors off the Arctic, he said, 'You take this other corner on this side of the gangway.'

"That is the corner of the boat in the middle of the boat?"

"No," Wallace answers.

"What do you call that?" Hoyt queries patiently.

"Well," says Wallace, "there was the mess room there, but the mess room run crossways. The quarters are on one side of the cook and a steward and all that, and on the other side is the chief engineer's room and his first assistant and second assistant and third assistant."

"Did you know where the chief assistant's room was then?"

"No, but he told me to be on the lookout on this other end of the passageway there. . . . He said to signal so when he said to the delegate, he said, 'You get in the engine room, if you happen to come up,' he said, 'why, you stand between there like there was two doors, there was a passage, you go down to the engine room and you can see him across the engine room get out of either door.'"

Johnson: It doesn't make any sense.

Harris: It doesn't make much to me either, I don't mind telling you. Now that strikes me that he's so familiar with the ship that he thinks everybody else is as familiar as he is.

Brannan: Well, I don't know because he never shipped on the Point Lobos.

Harris: He didn't go on the Point Lobos.

Brannan: No. And here's his description. He said that Sakovitz--in the first place there were witnesses who testified both in the trial and before the grand jury that they looked in the corridor where Wallace was supposedly waiting, and saw no one. They looked in the door in which the ship's delegate was supposedly waiting and they saw no one there, either.

Brannan: Now here's his description of the murder. [Quoting from Defense Committee pamphlet.]

Wallace talks on and on, saying he "stood there about five minutes." (Just where, he does not say.) "So I looked and I saw the delegate giving the motion, the signal, so--" But Hoyt interrupts again . . .

(How could the delegate have given "the signal" when Alberts, as we know, came from another direction?)

"So Wimpy come over and he talked something and I could not see anything after that, but I heard some noise and this was about a couple of minutes later I started looking down, because I could not see because the delegate was standing between this bulkhead and this is right where the engine room is right at the door. So I heard a noise and that is all."

Later he says that the noise was like somebody going "Ugh, ugh, ugh. " And he was standing about thirty feet away from the cabin at the time and the engines were turning over. It's a very improbable story, it seems to me.

Harris: It does sound a little improbable, I'll tell you that.

Brannan: Another thing that's bothered me is the fact that why Wallace would include the three men that Conner, the ship's delegate says he never saw, unless he wants to dilute his participation in the crime even further.

Another thing--do you think that Wallace was arrested when they said they arrested him and where they said they arrested him? They said that they arrested him on the 27th of August [1936] in Brownsville, Texas.

Harris: I really don't remember any of those details. Frankly I don't. If I knew, I wouldn't hesitate to tell you.

Brannan: The reason that I asked is because one of the main exhibits of the prosecution's case is a letter purportedly written for Wallace to Murphy and King. It was supposed to have been written in Del Rio, Texas on the 19th of August.

It says that he tried to get into Mexico at El Paso and was turned back for a lack of money and that he was going to Brownsville and try and get in because it's supposedly easier. Except the letter was postmarked "El Paso," which is four hundred miles from Del Rio. It was postmarked the same day as he dated it, August the 19th.

Brannan: Murphy says that he turned the letter over to the police on the night of August 26 and Wallace was arrested on the 27th by Alameda County district attorney officers in Brownsville, Texas. And that's about two thousand miles away.

In other words, it would have been about twelve to twenty-four hours after the letter was allegedly given to the authorities, stating that he was going to Brownsville. It's pretty quick work, is what I mean, actually.

I wondered why the matter of the letter wasn't questioned by the defense more because in the respondent's brief before the appellate court it glosses over the question of Wallace's whereabouts before his capture and the matter of the letter. They compress his attempt to enter Mexico, his dispatch of the letter and his capture, all to Brownsville.

It reads in their brief that all of those things happened in Brownsville. Which seems like an incredibly sloppy thing, to happen in a respondent's brief in a murder case.

They ignore a lot of other things too, conflicting testimony.

Harris: As I say, it's been a long time since I tried this one. The frailty of the memory is a very valuable asset at times.

Brannan: Do you remember Matthew Ross?

Feingold: Lawrence Ross.

Brannan: He was the editor of the Western Worker.

Harris: No, I don't.

Brannan: And he was alleged to have been present at some of the meetings between Murphy and Wallace.

Harris: No, I don't remember.

Feingold: I'd like to back up a bit to the beginning of the trial. When you entered the case, what was the initial attitude of the other defense attorneys toward you?

Harris: Oh, I didn't have any problem simply because I was not a Communist, but they didn't know whether I was a plant or what the hell I was-- a plant.

Feingold: Did that attitude change?

Harris: Very, very much early.

Feingold: Why did that happen?

Harris: Very decent, the other attorneys were George Andersen and Herb Resner and Aubrey Grossman. However he [Grossman] was a young lawyer at that time. George Andersen was the fire-eating type, bite-'em-on-the-leg. He didn't care whether the guy was district attorney, or who he was. He just was tough.

Feingold: Were they good attorneys?

Harris: Yes, they were. Let's put it this way. Aubrey Grossman was a very young attorney. They were all Communists, these lawyers, except me. I was the only outlaw around, from their viewpoint, you see.

But I never betrayed any confidences that they put in me. They were rough, but don't you think that Earl Warren and Ralph Hoyt weren't rougher. And then again they had the authority in back of them.

Feingold: What was your opinion of Willard Shea who defended George Wallace?

Harris: Well, I thought that Willard Shea was a likable fellow; let's put it that way. But as far as ability is concerned, I'd say they threw the ability out the window when he came in.

[Addressing George Johnson] What did you think of Willard Shea?

Johnson: Was he a public defender?

Feingold: A public defender, yes.

Harris: He was very careful of what he said. He wouldn't want to hurt anybody's feeling.

Johnson: I don't feel qualified.

Feingold: You said before that you thought that they were probably guilty. I was wondering if you could expand on that, what you thought they were guilty of? Specifically, Ernest Ramsay, your own client.

Harris: Well, I thought that Ramsay got kind of sucked in on it. King was very much more culpable, if you wanted to put it that way.

Feingold: Culpable of what? What do you think King actually did?

Harris: I think that he was aware of everything that was going on. The morals have changed completely now, from what they were then.

Brannan: Do you think that he sent Wallace and Sakowitz to the Point Lobos with the intention of killing Alberts, or just to beat him up?

Harris: I think they were supposed to beat him up. They went too far. I don't believe that they started out to kill him at any time. They just went too far.

Remember, you aren't dealing with mental giants in any of those guys. You don't get mental giants to do it, they sit behind the scenes, like Earl Warren does now.

Feingold: When you say that the laws were different then than they are now, were you thinking of anything in particular?

Harris: George, tell me whether the law was different then that it is now.

Johnson: Well, basically, the laws are the same. It's the interpretations of the courts that have changed, that is, the application. At one time, you know, you could make a search and make an arrest. They don't do it any more. You make the arrest and then you make the search. That's been reversed. All types of confession are-- I can remember when I went on the police force first. You could make some sort of promise to the man and it would be a valid confession. You could tell them, "Well, I'll see what I can do for you. I'll talk to the prosecuting attorney," or something like that. You don't do that any more. It's invalidated right now.

Brannan: It's not legal or it's no longer done?

Johnson: It's no longer done because it's illegal.

Feingold: I think, as a matter of fact, thanks to a Warren court decision. Which is a question which people always ask us, "Did Warren really change from the time he was a DA to the time he was a Supreme Court Justice, or what happened?" So I'll throw that question out to you.

Harris: If you really want to know. I think that Earl Warren is an opportunist. Well, Earl Warren has the majority of the people right in the palm of his hand. He really has. I'm not one of the majority I suppose, that's why.

Johnson: Has anyone ever talked to Warren directly in this matter?

Feingold: No. What, do you remember, was Ramsay's involvement in this whole thing?

Harris: From my viewpoint, Ramsay was as pure as the undriven snow because I was his defense attorney.

Feingold: But if you were to speak absolutely honestly, now that that's all ancient history, what would you say?

Harris: I don't think he was a mental giant, and I think he was just sucked in, if you really want to know.

Feingold: I saw him recently, about a month ago.

Harris: Earl?

Feingold: No, Ramsay.

Harris: What's his first name?

Feingold: Ernest.

Harris: I called him Marshall Ramsay, it's part of the same name.

Feingold: To my recollection, they also called him "Red" Ramsay, because of the color of his hair.

Harris: I always liked him personally.

Feingold: He asked that I give his regards to you, if I saw you.

Harris: You give my regards to him. Tell him I'm for him right or wrong; I don't give a damn.

Feingold: He's living in Brooklyn now. He married again after he got out of San Quentin. He now has two daughters who are in their twenties. One of them is teaching school, I think, down in Texas. He's still with the Marine Fireman in New York.

Harris: Well, I always liked him.

Feingold: Do you remember much about the defense committee?

Harris: I've seen so damn many defense committees, honey, that--Tell me a little bit about it.

Feingold: There was a woman named Miriam Dinkin.

Harris: That doesn't register anything to me. Who else?

Feingold: Who else was on the defense committee?

Harris: It couldn't be just one person; I know that.

Feingold: No.

Brannan: There was another chairman, who is the mayor of Brisbane now, whose name is Julius Stern.

Harris: I never heard of the man. You can understand that I am in a very peculiar position in this. As far as I'm personally concerned, I have no one to spare and no one to punish. I admired the way everyone helped the defense, the attorneys treated me after we got into the trial of the case. I started in like a skunk in the parlor with them. No one would get near me or around me or about me and I just ploughed along, doing the best I could.

Feingold: What were the prosecuting attorneys like in court?

Harris: Oh, Jesus Christ. Well, Hoyt would bite you on the leg if you turned your back on him. And Earl Warren was a little bit more suave. I don't think that there was anything he wouldn't do to convict somebody.

Feingold: What about Charlie Wehr?

Harris: Well, Charlie died young; let's put it that way. If he hadn't died young he would have developed into a "bite-'em-on-the-leg" type.

Feingold: One of the issues in the defense afterwards, was that there was something going on between Charlie Wehr and Julia Vickerson, one of the jurors.

Harris: Well, I heard that too. But I wasn't at any of their midnight meetings, if that's what you're asking me.

Feingold: Ramsay remembers sitting in the courtroom and watching Mrs. Vickerson come into the jury box and noticing little winks and things exchanged between her and Mr. Wehr.

Harris: Well, Charlie felt that his personality carried him through many cases with the jurors. If it wasn't Mrs. Vickerson then it would be Mrs. Jones or some other woman. As long as she wasn't built like a man, Charlie would devote his time to her. Charlie was a fine looking guy, and he used it to the nth degree.

Feingold: Do you think it was possible for there to have been some kind of relationship between the two of them?

Harris: My dear girl, I don't deal in possibilities. If I don't know, I keep my big mouth shut. That's how you get into damage suits.

Feingold: When Mr. Wehr died, Mrs. Vickerson filed a suit against his estate to collect I don't know how many hundreds of thousands of dollars which she claimed to have loaned him. And she claimed at that time--

Harris: Why did she give it to him? Why?

Feingold: Well, her story was that she was very friendly with him and she liked him.

Harris: There's no doubt about that, honey. That she was very friendly with him and that she helped him.

Feingold: And one of her stories that she tells, at the time of the hearings over the claim against the estate, is that she loaned Wehr some money before the shipboard murder trial, and that he told her at that time to keep quiet about that.

Harris: I can believe that, knowing Charlie Wehr as I do, or as I did. He died early in life or you'd hear more about him than you do now.

Feingold: Well, Mrs. Vickerson, herself sounded like something of a character.

Harris: Yes, she is. Or she was. I'd no longer know her if I saw her. I remember her at the time.

Feingold: That reminds me that one of the points raised by the defense was that the jury didn't have any labor people on it.

Harris: I personally don't remember that. But I understand the theory in back of it. With all these boys being labor boys [referring to defendants], I can understand that. Earl Warren wouldn't want labor boys.

Brannan: Do you think that the case had any connection with the 1936 maritime strike?

Harris: I really don't know.

Brannan: Some of the labor people thought that Warren planned the case and timed the case to coincide with this strike so he could smear labor unions with the charges--

Harris: Don't ask me about Earl Warren because I don't feel the same as other people do about him. Hoyt and Warren would have done most anything to gain their points.

Feingold: Did William Older have much to do with the case?

Harris: Christ, no. He didn't even carry the books. Older and Darter were both in my office, that's all I can say. Older got his--whatever prestige he got, he got it by being--[addressing George Johnson] You're a Mason, aren't you?

Johnson: No.

Harris: Well, he got it by being Potentate of the Shrine, Bill Older.

Feingold: I gather that you are not a Mason?

Harris: I'll put it this way to you, honey. When I first went into the district attorney's office I had charge of speeders, and the district attorney--I'm not going to tell you who he was--came up to me and said, "Myron, I want you to pull this speeding tag because Brother So-and-So, he's in my lodge." I had the frailty of being too abrupt and too outspoken and I said, "If Brother So-in-So is in your lodge, you're the district attorney, you pull the ticket. To hell with it. I'm not pulling the ticket because I don't believe that any man, because he has a little authority and a little power should have his ticket pulled, while some poor son-of-a-bitch who can't afford it, can't have his pulled." He said, "I'm afraid I'll have to take you off of speeding." And I said, "Well you can take me off of anything you want to do, but I'm just telling you how I feel about it." So, I wasn't on the speeding end of it any more.

Feingold: Well, that's about all the questions I can think of. I don't want to tire you out.

Harris: If there's anything you can think of, honey, I'll try to answer for you.

Feingold: Was there anything else you wanted to say about the shipboard murder case?

Harris: No, I don't think so. It's been a long time.

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June 14, 1972

Miss Mimi Feingold,
Regional Oral History Office,
486 University of California,
Berkeley, California

Dear Miss Feingold:

Permit me to thank you and your associate for the consideration that you extended to me in this morning's interview.

The thoughtful kindness which prompted you to be so considerate shall remain with me as a most pleasant recollection to be remembered years after the event shall have escaped your memory.

Very sincerely yours,

Myron Darter

MH:HC

INDEX - MYRON HARRIS

Abdoor, Louie, 10
Alameda County district attorney's office, 1, 5-7, 19
Alberts, George, 15
All-American football team, 2-4
Andersen, George, 14

Chapman, Mel, 5
Coakley, J. Frank, 7
Conner, Frank, 12
criminal procedures, 15, 18, 19

Decoto, Ezra, 6
Dinkin, Miriam, 16

Grossman, Aubrey, 14

Harris, Judge T. W., 5
Harris, Myron
background 1
deputy district attorney 5-7
education 2, 5
football 2-4
private practice 8-19
Helms, Captain George, 9
Hing, Louie, 9
Hoyle, Ralph, 11, 14, 17

King, Earl, 12, 14
King, Ramsay, Conner case - see shipboard murder case
King, Ramsay, Conner Defense Committee 10-12, 16-17

Maoris, 3
Masons, 19
Morris, Monty, 2
Murphy, Albert Monroe, 12-13

Older, William, 18

Quinn, Judge James G., 6

Ramsay, Ernest, 14-17
Resner, Herbert, 14
Ross, Lawrence, 13
Sakovitz, Ben, 11, 12, 15
Shay, Frank, 5
Shea, Willard, 14
shipboard murder case, 10-19
 defense attorneys, 13-14
 Julia Vickerson affair, 17-18
 prosecuting attorneys, 17-18
Stern, Julius, 17
Sullivan, Leo, 8

Tong wars, 8-10

Vickerson, Julia, 17-18

Wallace, George, 11-13, 15
Warren, Earl, 5-8, 14-15, 17-18
Wehr, Charles, 17-18
Whitney, Anita, case of, 6

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Earl Warren Oral History Project

Herbert Resner

THE RECOLLECTIONS OF THE ATTORNEY FOR FRANK CONNER

An Interview Conducted by
Miriam Feingold



Herbert Resner (center left) with Tom Mooney (center right).
Arrival in New York City from San Francisco, Grand Central
Station, 5 June 1939.

TABLE OF CONTENTS -- *Herbert Resner*

INTERVIEW HISTORY	1
GETTING INVOLVED IN THE CASE	1
FRANK CONNER	2
THE CASE, VIOLENCE, AND THE LABOR MOVEMENT	5
THE JUDGE AND THE PROSECUTORS	8
THE DEFENSE COMMITTEE	10
ERNEST RAMSAY AND EARL KING	15
THE COURT APPEALS AND THE JULIA VICKERSON AFFAIR	17
INDEX	19

INTERVIEW HISTORY

Herbert Resner was interviewed by the Earl Warren Project of the Regional Oral History Office in order to record his recollections of his work as defense counsel for Frank Conner in the King, Ramsay, Conner case.

Interviewer: Miriam Feingold

Conduct of the Interview: When Mr. Resner was asked to participate in the Earl Warren Project, his response was enthusiastic, but engaged in a busy private law practice with the Melvin Belli firm, he had little time for uninterrupted reflection. After several appointments had been made and postponed, Mr. Resner was finally able to reserve an hour at the end of a busy day for an interview session. A single interview was thus held on October 10, 1972 in Mr. Resner's office overlooking Montgomery Street's newly restored buildings. Hanging on the walls of the office were mementoes of Mr. Resner's long and active career, including several autographed photos of Tom Mooney. Since time for the interview was short, questions were limited to the King, Ramsay, Conner case.

Editing: Editing of the transcribed, taped interview was done by the interviewer. Minor rearrangements of material were made to maintain continuity of the discussion without interrupting its informal quality. Mr. Resner carefully reviewed the edited text and made several minor corrections.

Narrative Account of the Interview: Herbert Resner was born in 1909 in Chicago and moved with his family to Southern California in 1924. He earned his BA at the University of California-Berkeley in 1932 and his law degree at Boalt Hall in 1935. It was here, he relates,

that he first met Aubrey Grossman, and became involved with him in a number of radical causes. His political views, he explains, were influenced by Norman Thomas and Jack London.

Almost immediately after passing the bar, Mr. Resner explains, he joined the Tom Mooney defense team, and it was while he was working there that he was asked, on very short notice, to fill in as defense counsel for Frank Conner, whose attorney had just withdrawn from the case. He comments on his client, whom he describes as "a poor unfortunate victim of the whole affair."

In assessing what probably happened the day of the murder, Mr. Resner describes Alberts as a violently anti-union ship's officer, and King and Ramsay as union leaders who might on occasion use physical force. He notes, however, that the 1930s and earlier were violent years in the history of labor organizing. Both sides regarded the situation as war, and the King, Ramsay, Conner case was just one part of a larger picture.

Mr. Resner comments on the judges and the prosecutors, and speculates that Superior Judge Edward Tyrrell was removed from the case because he was not an able enough jurist to handle such a complicated case. He notes that Assistant District Attorney Charles Wehr did most of the "bitter down-to-earth street fighting" in the courtroom.

In describing the well-organized activities of the defense committee Mr. Resner notes the role played by the Communist party, to which most of the leaders in the defense effort belonged. He comments on Harry Bridges' involvement in the case, and Bridges' changing views over the years.

Mr. Resner comments on the defendants, characterizing Ernest Ramsay as "a good honest rank and file working stiff." Earl King, he notes, was a man with an intellect and a good understanding of political and economic forces.

Mr. Resner concludes the interview with a brief description of the Julia Vickerson affair. He had, he relates, always considered her a plant on the jury.

Miriam Feingold, Interviewer
Regional Oral History Office

21 October 1974
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University of California at Berkeley

GETTING INVOLVED IN THE CASE
(Date of Interview: October 10, 1972)

Feingold: I'd like to start by asking how you got into the case. How did you get involved as one of the defense attorneys?

Resner: Aubrey Grossman got me into the case.

Feingold: How did you know Aubrey Grossman?

Resner: I knew him from law school. He was a classmate at Boalt Hall [law school at the University of California, Berkeley]. He was active representing the left wing maritime unions at the time. I was working with George Davis on the Mooney case, and they were looking for someone to work with and to represent Frank Conner. Aubrey came to me and asked if I would get into the case with him and I agreed and that was it.

Feingold: Had you been involved in campus politics? Is that how you'd known Aubrey Grossman?

Resner: Aubrey was a classmate of mine at Boalt Hall, and he was always interested in labor and left wing politics and I was too. That's all. I've always been interested in socialist views when I was in college. I was much impressed in those days by Norman Thomas. I read Jack London and was much impressed by Jack London. I got interested through a friend of mine whose name is Sam Kagel, who is a very well known labor arbitrator here. Sam was a classmate of mine in college. I got interested in the Mooney case through him. When I got out of school I got involved in the Mooney case which was a natural step to getting involved in the King, Ramsey, Conner case. That's how it happened.

Feingold: Did you know the attorney who had been representing Conner, Henry Levinski?

Resner: Yes, you mean from Seattle?

Feingold: Yes.

Resner: Oh yes, yes. I did know of him. It seems to me he was a fairly well known maritime labor attorney. He was from Seattle.

Feingold: Right.

[Interruption]

Feingold: We were talking about Levinski and--

Resner: Oh no, not Levinski. Sam Levinson was the man I knew. Levinski dropped out of the picture. I never did meet him. He was the lawyer mixed up in some way with the Marine Firemen. I guess they got him in there for awhile, then the local Firemen's Union took over and Levinski was dropped. I don't really know the details of that, but I had nothing to do with it. No, I was thinking of Sam Levinson who was a well known seamen's lawyer in Seattle. Levinski was someone else. I don't know too much about him, never did.

FRANK CONNER

Feingold: What did you think of Conner?

Resner: Conner? Conner was just a poor unfortunate victim of the whole affair. He didn't have the slightest conception of what was happening to him or what was going on. He happened to be the delegate on the ship, and he was just a victim of this whole case. He actually had no comprehension of the labor movement, as I saw him, of the people involved and the issues involved. I just think that he was mentally weak. His IQ, I think, if that's the proper term, was way down to the lowest possible level. There was nothing you could talk to Conner about. There was nothing he

Resner: understood. He was just like a vegetable. He was a victim of this thing. He happened to be there, and that was about it. Have you talked to other people about Conner?

Feingold: Yes.

Resner: What did they tell you?

Feingold: Well, pretty much the same thing, that he wasn't very intelligent and that he also had a drinking problem.

Resner: That could be. That's possible. When he would talk he wouldn't make any sense. He talked gibberish. I don't think he could get one logical thought out of his mouth at any given time. The fact that he was the center of attention in this important case kind of impressed him. I mean, this was the most important thing or the only thing that would ever happen to him in his life.

But I don't think he was ever conscious of what the case was about or what had happened to him or why he was in jail or anything of the kind. It was all just as though he were an actor in some kind of strange Greek drama where he was just there at the time that all these forces came to bear on him and he was their victim. He had no control over anything, no say about anything. Nobody paid any attention to him. He was just a kind of a fifth wheel to this whole affair.

Feingold: The issue was raised in the trial about third degree in forcing him to confess.

Resner: Forcing who to confess?

Feingold: Conner.

Resner: I'm trying to remember that.

Feingold: Well, let me just refresh your memory about the facts of that particular aspect of the case. He was arrested in Seattle by the district attorney's men, brought to Berkeley, and taken immediately to the

Feingold: Hotel Whitecotton. He had already been one or two nights in jail in Seattle and claimed he hadn't slept at all there. They took him immediately to the hotel without booking him and questioned him there for about five hours or so. They brought him food during that period, but pretty much kept up continuous questioning. When they finally let him go to sleep they handcuffed his hand to a chair right next to the bed.

The next morning they took him to the district attorney's office and questioned him some more. Sometime during that day they took him to court, and at that point he had a five minute conference with Levinski. He was then taken back up to the DA's office and questioned some more at which point one of the inspectors in the DA's office, Oscar Jahnsen, produced a newspaper clipping in which Levinski was quoted as saying that he wasn't sure whether he was going to defend Conner. Jahnsen intimated that Conner had been deserted by his attorney, had been deserted by all his friends, that Wallace had already told the full story, and that Conner was implicated and he might as well tell the story.

At that point Conner said that he would talk. So, he went into Warren's office and there gave a confession in which he claimed that he pointed out Alberts' stateroom. Immediately after that he was examined by a doctor who found that he had a fever of 101° and congested chest and a sore knee, and they hustled him off to the hospital. The following morning, in the presence of Warren and Levinski, he repudiated his confession, and said that it had been forced out of him. That was the position that he took after that.

That's the picture that I've gotten from reading the trial transcript. I wondered if you had any other insights.

Resner: No. Well, that's why at this late date of thirty-five years later I can't add anything to that. You've got a pretty good review of that. I'd say that, as you relate it to me, that's the way that I remember it.

Feingold: Was that treatment fairly standard for the day?

Resner: Oh, yes. Well, that was really nothing compared to the treatment that they did put people through. I mean, they not only did that but they would work them over, physically, violently, with gloves or straps or however the case might be. That was not unknown in those days.

THE CASE, VIOLENCE, AND THE LABOR MOVEMENT

Feingold: You were saying once before, and I'd like you to repeat it again so we can get it on tape, what your opinion was of the guilt of the three men.

Resner: You want me to tell you what happened, what the story was. I don't think there was any question that George Alberts was a non-union engineer, whom they felt they had to bring into line to unionize the Swayne & Hoyt ships and the other ships of that kind. King was the leader of the union who felt that it was proper policy to use a certain amount of physical force on people to bring them around. Ramsay was the patrolman. I think Ramsay went along with that philosophy. I don't think guys like Conner gave it much thought. You know, the guys on the ship did pretty much what union leaders advocated. This fellow Sakovitz, who disappeared, and who I never did know anything about except the rumbles that you hear, probably was a kind of a political figure in the union who went along with that.

I think probably what happened was that they went over to see Alberts to try to tone him down from the standpoint of his animosity against the union. I don't think there was much question that they probably got into a fight and started striking him, and I think that the whole thing got out of hand and he wound up dead. I'm pretty sure that's what it was.

Resner:

In those days physical violence and force were considered a part of the philosophy of the labor movement, but they were also a part of the industrial movement. This was the attitude in that particular period of American history, with respect to labor, as followed from similar attitudes that went back to the Mooney case, the McNamara case, the organization of the unions at the turn of the century. It went back to Big Bill Haywood in the Coeur d'Alene and to the Haymarket case.

If you read Louis Adamic's book, Dynamite, you'll find that physical force, and in some instances dynamite, were accepted strategies or tactics of the labor movement, and they're not even unknown today. Maybe they're not dynamiting things, but dynamite and bombs and things seem more prevalent today than they ever did before, in the hands of the Weathermen, who are a fresh kind of a counterpart of Emma Goldman and Alexander Berkman. Mooney used to talk to me about Berkman and Goldman. I believe he knew them and to some extent went along with their philosophy.

But, today on picket lines you'll see violence participated in by union people. You'll see counter-violence, or maybe violence instigated by owners, business people, agricultural interests, shipping interests. It happened in the longshore strike here in '34. They sent the troops in and militia and strikebreakers and the Pinkerton guards and all that.

Violence begets violence. It's a battle on both sides. Both sides regard it as war. Actually the philosophy of both sides is that any means are proper and legitimate to achieve the desired end, whether you're the boss or whether you're the workers. It's part of the history of the labor movement, and I think the King, Ramsay, Conner case, in the capsule in which we find it, is just a picture of that particular kind of activity and thinking.

You can't separate King, Ramsay and Conner from the history and the labor movement of the day, from the philosophy of the day. Maybe it isn't so different

Resner: today as it was then, or so different then than it was in McNamara's time, or McNamara so different from what it was in the Haymarket period, or so different as when the left wing socialists and labor people were expelled from Germany in the middle of the nineteenth century. You can carry it back to the French revolution and also the American revolution in the context of those times. You can carry it back through history as far as you want to go. The social forces of the time have created the conditions which make these kinds of violence occur.

Feingold: I remember you saying that they shouldn't have been convicted of anything more than assault and battery.

Resner: No, I didn't say that. Well, they were convicted of second degree murder. Perhaps I said manslaughter.

Feingold: Manslaughter, that's right.

Resner: I think the manslaughter instructions were given, if I'm not mistaken.

Feingold: They weren't.

Resner: They were not?

Feingold: That, in fact, was a big issue--

Resner: That was then the issue, that we felt that if it were an unintentional kind of negligent act that resulted in this homicide, that that's what it should have been. But they didn't give those instructions at the time.

Feingold: Yes, that's right. According to the defense, the prosecution got itself in hot water because they were arguing both the aiding and abetting theory, and the conspiracy theory, and somehow left out manslaughter.

Resner: Right.

Feingold: In light of what you were saying before about the case as it related to the labor movement generally,

Feingold: could you say a bit about the strategy the defense attorneys chose to follow? Was it a labor defense?

Resner: It was political, to argue that it was a labor "frame-up" case like Mooney, part of the employer-shipowner effort to break the waterfront and seafaring unions, to go back to the days before the 1934 strike when the maritime workers were unorganized and powerless. King, Ramsay, Conner was part of the labor picture of the times, and we tried to put it in that context and show that these men were being victimized to undermine the waterfront labor movement. But with a middle class, anti-labor jury and the conservative political attitude of the judge, the press and the times, our efforts were to no avail. Later, after Culbert Olson was elected the first Democratic governor in forty years, we arranged to get the men paroled.

THE JUDGE AND THE PROSECUTORS

Feingold: You were also telling me before why you thought the case had been removed from Judge Tyrrell's courtroom.

Resner: Well, because Judge Tyrrell was not a smart or able enough judge to handle this complicated case or the big battle that was going to ensue. Earl Warren managed the transfer of the case to Frank Ogden who had been his former chief civil deputy and whom he thought was a very smart and shrewd lawyer, which he was, who could hold the case, the litigants, and the lawyers in check, and that's exactly what happened.

Feingold: Yes, he did. I was reading the trial transcript and he certainly comes through.

Resner: Yes, he did.

Feingold: There were any number of times when the defense attorneys were objecting and he just overruled them.

Resner: Yes, he had the case well in hand. He did what he was supposed to do.

Feingold: And what was your impression of Warren's handling the case?

Resner: Warren left most of it to his deputies. He sat there, and I'm sure they consulted with him on the strategy and the overall management and trial of the case. I think Warren retained his kind of distance, his aloofness, his kind of superiority over the whole proceeding. But the actual trial of the case, bitter down-to-earth street fighting, was done by Charlie Wehr. He was the trial lawyer and a good one. He was very effective, able, fighting, prosecuting district attorney. He was a good trial man.

Little Nathan Harry Miller just carried the briefcases for the prosecution. He did very little. Hoyt was a kind of a slick customer who would come in every now and then. He later became district attorney and judge, but he was no heavy-weight. He was always a very light kind of a figure. He was more or less a political figure in the case and a political figure in Alameda County. He was kind of, I guess, kind of a favorite of the powers that be and Warren. But the actual brunt of the case was carried by Charlie Wehr. Without him they would have been nowhere.

Feingold: What was your opinion, generally, of Warren as a DA?

Resner: Well, I never saw enough about him, but he was regarded as a very tough DA, a convicting DA, a real prosecutor who was considered as a man who would leave no stones unturned, do right or wrong, to get a conviction. I mean, the concept of his office and the reputation he had in those days was the direct opposite of what it later became as Chief Justice. It's one of the mysteries of the age.

Feingold: You were also telling me that there was quite a bit of agitation around the courthouse at the time of the trial, picketing and whatnot?

Resner: Oh yes. Well, the Marine Firemen and the labor people would be around the courthouse with signs about the case. I'm not sure though that they weren't forced away because of the fact that it would have been interference and intruding on the administration of justice. But there were quite a lot of demonstrators in support for these guys.

THE DEFENSE COMMITTEE

Feingold: Did you have much to do with the defense committee?

Resner: Well, I was in touch with them, like everyone was. We saw each other all the time. Have you ever gotten ahold of what's-her-name?

Feingold: Miriam Johnson?

Resner: Miriam--but that's not her name.

Feingold: Dinkin.

Resner: Miriam Dinkin. Did you ever see Miriam?

Feingold: Yes.

Resner: Did you get anything out of her?

Feingold: Yes. She was very helpful.

Resner: Did she remember the case well?

Feingold: Yes, because it was one of the first big things to happen in her life. She was fairly young at the time.

Resner: Yes. Right. She did a good job. She was very active. She worked hard, and she was very loyal. Everybody regarded her very well. The guys, themselves, liked Miriam very much, that is, Conner, King, and Ramsay. She was very supportive. She did a good job. I haven't seen her in years.

Feingold: Did you know Phyllis Edmund?

Resner: That's a very familiar name.

Feingold: She headed the defense committee before Miriam came.

Resner: She probably did. The name rings a bell, but I don't know.

Feingold: I think that she was King's secretary at the MFOW. I've been reading some of the defense committee literature at the ILWU library, and there's some correspondence between Phyllis Edmund and King in San Quentin in which Mrs. Edmund talks about leaving the defense committee. She hints at difficulties that she's having with the Maritime Federation and the defense committee, but she never comes out and says it. I wondered if you knew what was behind that?

Resner: No. That is something I don't know anything about.

Feingold: That will remain a mystery for the moment. Was the Communist party active in the defense committee?

Resner: I would say yes. The Communist party was active in everything in those days. They masterminded everything. I don't think there's any question about it. I mean, they masterminded the defense of this case. Just between you and me--I don't want to put this on any kind of a record--but the truth of the matter is that all the defense lawyers were Communist except Myron Harris. I don't know if King was a member of the party. If he wasn't he was awfully close to it. But the other defense lawyers were. George Andersen, Aubrey Grossman and I were members of the party. The party had a very strong lawyers group here in San Francisco for a number of years.

The party ran the defense committee. I'm sure that Miriam Dinkin was a member of the party and all the members of the committee, the officials and the patrolmen--I mean, the party ran the waterfront. There was just no two ways about it. Sam Darcy, and later Bill Schneiderman, and Walter Lambert and Rudy

Resner: Lambert, who were the party leaders ran the show. There's no two ways about it. The party ran all the maritime unions on the coast except the Sailor's Union.

Feingold: I was just going to ask about the Sailor's Union.

Resner: Yes, there's no two ways about it. I don't know if people like Aubrey Grossman--(George Andersen is dead); what you say about him is not going to bother him. But whether other lawyers would want to be identified as members of the party, I don't know. You have to use your discretion. I don't know what you intend to do or say on that. You know, it's a question of violating people's confidences. I don't really care myself, you see, at this point. But other people, I don't want to put myself in the position of saying, "so-and-so and so-and-so is a member of the party..." All you have to do is look at San Francisco in those days and know that the party ran the show. It was powerful.

Feingold: I'll be speaking to Aubrey Grossman, myself.

Resner: Well, he'll tell you what he wants you to know. He was a little Joe Stalin. He was absolutely the most annoying man I ever met in my life. If he didn't have his own way he'd jump up and down, not actually, but literally. It was Aubrey who tried to run everybody's life to make them do what they were supposed to do. I mean, he came from a middle class family. But he got sold on communism somewhere along the line, and Stalinism, and this was the solution to the world's problems and all that. But I found the party got to be very pedantic, just like the people they were criticizing. The party was as establishment in its way as the establishment was in its. It's just like the kids today, with their costumes, their hair, their guitars, and their outlandish clothes and the whole thing, it's pure conformism to that particular culture. Just the same way as you walk down Montgomery Street and there's a culture on Montgomery Street. You know, it's all conformism. It was the same thing then. None of these things ever change.

Feingold: Then the Communists would have dominated the Maritime Federation also?

Resner: Yes they did. There's no two ways about it. The party ran the show. I don't think anybody would deny it.

Feingold: Then would you say that it was a fairly technical legal question as to whether Harry Bridges was a Communist?

Resner: I don't want to get into the thing about Bridges. I know a lot of things. I just don't want to get into it. Bridges is Bridges. I just don't have a great deal of use for Harry Bridges today. He was at one time a close, personal, intimate friend of mine. He lived at my house. I was probably as close to Harry as any man who was around in those days. That was during the war, during the period from 1942 to 1946, around in there. I knew Harry from 1934 on. I met him when I was at Boalt Hall as a law student. I wrote a monograph on the '34 strike; I told you about that.* That's when I first met Harry. I knew Harry very well up until 1950.

But the Harry Bridges of today is not the Harry Bridges that I knew then. I mean, Harry's changed. He's advocating and doing a lot of things which in my view are not pro-labor. Harry has become a labor politician, just like the labor politician he used to criticize thirty years ago, or forty years ago. I guess that happens, people change.

What Harry's politics were, he was a left wing labor leader. Everybody knew it. They could never prove he was a member of the party. That's as far as it came down to. He never denied his meeting with them or his working with them, or his agreement with many of their policies. It got down to the

* "The Law in Action During the San Francisco Longshore and Maritime Strike of 1934," available at Boalt Hall, University of California-Berkeley.

Resner: central technical question of did he lie when he said he was not a member of the party; was he in fact--that issue has been litigated and decided in Bridges's favor. But what the actual facts are and what the truth of the matter is, I suppose the only person who ever truthfully, honestly could answer that question is Harry Bridges, himself. God knows, I sure don't want to talk for him. I just don't want to talk about Harry Bridges. Harry Bridges is a closed book in my life as far as I'm concerned.

Feingold: All right. We'll leave Harry Bridges alone.

Resner: He was active in this case, you know, like all the other labor leaders. He was active in the Mooney case. But Harry was by then the center of attention as far as what he was doing.

He also had a talent for picking up the wrong kind of people. He would go to bat for the bad people and kind of ignore the good people. For a fellow who was a left winger he was notoriously lacking in any kind of what I would call human kindness, even for people as people. I don't know if you got this picture from any other people. I have no animus toward Harry; maybe I do, but I don't like to think that I have. But I just think Harry is a very unappreciative person with regard to people who did an awful lot for him personally. I don't think he ever repaid in kind any kind of personal affection. I don't know that he's capable of personal feelings for people.

To me some of the things I had against the party was it was all so political but yet there was so much personal stuff involved in it. There got to be a lot of backbiting and a lot of character assassination and a lot of kind of things that don't belong in an idealistic movement. People who profess idealism are really not idealists. Maybe the liberals who really are idealists in the true sense, but who recognize their shortcomings, maybe that is where the truth is and where the good people really are. They may be weak but at least they are sincere. I found that on the left there was all kinds of hypocrisy and doubledealing and backbiting

Resner: and struggle for power and position and all that kind of stuff. Well, I don't know. It wasn't the labor movement that it was supposed to be.

Feingold: To back up a moment to Myron Harris, whom you mentioned a while ago, could you tell me about him? How did you and the other attorneys relate to him?

Resner: He was Ramsay's attorney. Ramsay was not close to the left, and he wanted a non-political lawyer, and I think Grossman helped Ramsay get Harris. He was paid a substantial fee which the rest of us were not. Also, Harris' father was a superior court judge in Alameda County, I think presiding judge, and there was some thought that this would enable Myron to help the defense on some kind of a political level.

ERNEST RAMSAY AND EARL KING

Feingold: Did you know Ernest Ramsay very well?

Resner: Quite well.

Feingold: What did you think of him?

Resner: Well, he was a good honest rank and file working stiff. He was a sincere person. He was not political. He was not a communist. He was not mixed up with them. He was no particular Red-baiter. I guess, in later years when he went back East, he joined the MFOW leadership and ran out the Reds. But in those days Red [Ramsay] was just like ninety per cent of the seamen. They were just trying to improve their working conditions. They were just down-to-earth working stiffs trying to get along. The party and the left wingers came along and exploited the hardships and the wrongs that had been done, and of course they went along with whoever would help them. And I think Red Ramsay was sincere. And I think he was a good labor man and one who wanted to do his part, and I think he did.

Feingold: Was King more political than Ramsay?

Resner: I would say so, sure. King was an intelligent man who understood politics and labor politics and political forces and economic forces. He was a man who had an intellect, and he understood those things like Bridges understood them. In fact, the remarkable thing about the whole situation was that there were a great many labor leaders out here in the West Coast maritime labor movement in those years who were very bright and who understood the politics and economics of the whole thing, and who were very well read. While they may not have had formal education they were really quite well educated people.

Feingold: Was that true of King?

Resner: I would think so. I think King was pretty educated, self-educated. He was quite an intelligent person.

Feingold: Did you know his brother Garfield King?

Resner: Yes, he was a Canadian, wasn't he?

Feingold: Yes.

Resner: He came from Vancouver. He was a lawyer. He was a little mousey kind of a fellow. He had an Australian or Canadian accent, or whatever it was. But he was a very gentlemanly, retiring kind of a fellow you'd see in the movies playing the typical English kind of meek type solicitor. He was a nice enough fellow. He didn't have any great drive or influence or anything like that, but he was around. I don't even know how I happened to know him. This is the first time I've thought of him in years.

Feingold: He came into the case because he had been approached by Doyle and asked to bring his influence to bear on his brother in prison, to testify that Earl King had seen Harry Bridges at a Communist meeting. That was just before the Dean Landis hearing on Bridges.

Resner: Now I remember, yes.

Feingold: Garfield King made a deposition on the subject.

Resner: Yes.

THE COURT APPEALS AND THE JULIA VICKERSON AFFAIR

Feingold: I've got just a couple of other questions, and then I know you have other appointments. One is why the case wasn't appealed to the federal court.

Resner: I don't know. It was a state court case. What could have gone to the federal court?

Feingold: Well, I don't know. That may be the answer. It got as high as the California Supreme Court.

Resner: It was a state court case. Didn't they petition to the United States Supreme Court on certiorari?

Feingold: No. It stopped with the California Supreme Court.

Resner: I can't answer that. Maybe Grossman will remember. There actually was no federal question. The only federal question then was due process and the fourteenth amendment.

Feingold: There was a due process question with Conner, based on the then recent Brown vs. Mississippi decision.

Resner: But the law was different in those days than it is now. A great deal of law was made on the Warren court. In those days we were kind of in the jungle looking for a way out. We were coming up with ideas-- we had ideas whose time had not yet arrived, you see, like so many things in the law. Not that we didn't think about them, but they weren't acceptable then. It had to be many years before they were.

Feingold: I'll ask Grossman that. The last thing I want to know about was the Julia Vickerson matter. She was the woman juror.

Resner: Yes, she was the wife of Dr. Vickerson, and we found out that she was the girlfriend of Charlie Wehr. We found that out later. I don't remember how we found that out. Aubrey would remember that. By the time we knocked off so many people off the jury, she came along and the challenges were up and she remained. I really thought that she was a plant on the jury, that she was going to vote for a conviction no matter what the evidence was. And it happened that way.

Feingold: Now, she made the statement at one point in a hearing, that she was interviewed by Booth Goodman, who later turned up on the Board of Prison Terms and Paroles, and either you or George Andersen. Do you remember ever speaking to her personally yourself?

Resner: No, I don't, Mimi.

Feingold: You denied it at the time. You said that you hadn't had any part of it.

Resner: I don't remember ever talking to Mrs. Vickerson. How did that come up?

Feingold: I can't remember the context. I just have a note that it came up in one of the hearings on habeas corpus for George Wallace, which is when most of the Vickerson stuff came out.

Resner: I don't know that I've answered your questions.

Feingold: You have, and you've been very helpful.

Transcriber: Marilyn Fernandez
Final Typist: Keiko Sugimoto

INDEX -- Herbert Resner

Adamic, Louis, Dynamite, 6
Alameda County district attorney's office, 3-4, 9
Alberts, George, 4-5
Andersen, George, 11-12, 18

Berkman, Alexander, 6
Boalt Hall, 1, 13
Bridges, Harry, 13-14, 16
Brown v. Mississippi, 17

Coeur d'Alene case, 6
Communist party, role in shipboard murder case, 11-15
Conner, Frank, 1-6, 10
criminal procedures, third degree, 3-5, 17

Darcy, Sam, 11
Davis, George, 1
Dinkin, Miriam. See Johnson, Miriam Dinkin
Doyle, Stanley M. [Larry], 16

Edmond, Phyllis, 11

Goldman, Emma, 6
Goodman, Booth, 18
Grossman, Aubrey, 1, 11-12, 15, 17-18

Harris, Myron, 11, 15
Haymarket case, 6
Haywood, Big Bill, 6
Hotel Whitecotton, Berkeley, 4
Hoyle, Ralph, 9

Jahnsen, Oscar, 4
Johnson, Miriam Dinkin, 10-11
judicial procedures, 17

Kagel, Sam, 1
King, Earl, 5-6, 10-11, 16
King, Garfield, 16-17
King, Ramsay, Conner case. See shipboard murder case.
King-Ramsay-Conner Defense Committee, 10-11

labor movement, and violence, 5-8
Lambert, Rudy, 11-12
Lambert, Walter, 11
Landis, Dean James M., hearing on Harry Bridges' deportation, 16
Levinski, Henry, 2, 4
Levinson, Sam, 2
London, Jack, 1
longshore strike, 1934, 6, 8

Marine Firemen, Oilers, Watertenders and Wipers Association (MFOW), 2, 5, 10-11, 15
Maritime Federation of the Pacific, 11, 13
maritime unions, 12, 16
McNamara case, 6
McNamara, John, 7
Miller, Nathan Harry, 9
Mooney case, 1, 6, 8, 14
Mooney, Tom, 1, 6

Ogden, Judge Frank, 8
Olson, Culbert, 8

Ramsay, Ernest, 5-6, 10, 15
Resner, Herbert
 appealing the case, 17
 getting involved in the case, 1-2
 Julia Vickerson affair, 18
 reflections on labor movement and violence, 5-8
 reflections on Communist party, 11-15
 University of California, Berkeley, 1

Sailors' Union of the Pacific, 12
Sakovitz, Ben, 5
Schneiderman, William, 11
shipboard murder case, 1, passim
Swayne & Hoyt Steamship Company, 5

Thomas, Norman, 1
Tyrrell, Judge Edward, 8

University of California, Berkeley - campus politics, 1

Vickerson, Julia, 17-18

Wallace, George, 4, 18
Warren, Earl, 4, 8-9, 17
Weathermen, 6
Wehr, Charles, 9, 18

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Miriam Johnson

THE KING-RAMSAY-CONNER DEFENSE

COMMITTEE, 1938-1941

An Interview Conducted by
Miriam Feingold Stein



Miriam Dinkin [Johnson]
ca. 1940

TABLE OF CONTENTS -- Miriam Johnson

INTERVIEW HISTORY	i
TAKING CHARGE	1
Background	1
First Moves	4
RELATIONS WITH OTHER ORGANIZATIONS	6
Maritime Federation of the Pacific	6
The Communist Party	8
The International Labor Defense	12
The American Civil Liberties Union	13
FUND-RAISING	16
SOME LEGAL QUESTIONS	20
Comments on the Defense Attorneys	20
The George Wallace Affidavits	27
THE ROAD TO FREEDOM, 1939-1941	31
The Election and Inauguration of Governor Culbert Olson	31
Friends in Government	35
Changes at San Quentin	36
Pardon Application, 1939	39
The Harry Bridges Deportation Hearing, 1939	44
Parole and Pardon Applications, 1940	47
More on the Attorneys	54
New Directions	56
Further Pressure on Governor Olson	61
Olson's Reluctance to Act	65
Changes on the Parole Board	66
Pardon Hearing, 1941	70
The Paul Yeremain Affair	72
The Appeal to the California State Federation of Labor	75
The Kidwell Letter	82
The Parole	84
Frank Conner After Prison	86
The Tenney Committee Hearings and the Departure of King, Ramsay, and Conner	88

THE MEN IN PRISON	92
APPENDIX I - Two Drafts of the Kidwell letter, 9/18/41	103
INDEX	112

INTERVIEW HISTORY

Miriam Johnson was interviewed in order to record her rich recollections of the King-Ramsay-Conner Defense Committee, of which she served as secretary from 1938 to 1942.

Interviewer: Miriam Feingold Stein

Conduct of the

Interview:

Two interview sessions were held on November 17 and November 24, 1975, at Mrs. Johnson's flat in the Bernal Heights district of San Francisco. We sat at a round table in her dining room, which looked out, through a picture window, over a sweeping panorama of San Francisco and the Bay.

Still actively pursuing her career as a consultant and researcher on employment practices, she was only available to tape record in the evenings, yet despite a hectic and pressured schedule, she set aside several hours at night for each session, stopping only for brief breaks for coffee.

That Mrs. Johnson was eager to assist the Warren Project in documenting the King-Ramsay-Conner case was evident from the start. When first contacted she expressed great concern that now, almost forty years after the event, the case not be forgotten, and suggested names of other persons who could supplement the story. Anxious to refresh her memory, she spent a day with the interviewer at The Bancroft Library reviewing the files of the defense attorneys and the committee now on deposit there. At her suggestion the interviewer provided her with copies of several important letters and documents which she read before the interview and referred to during the taping session. She also consulted an interview outline and notes provided by the interviewer, and searched through her own files to find photographs and other memorabilia to illustrate her points.

Editing:

Editing of the transcribed, taped interview was done by the interviewer. Aside from correcting minor spelling and grammatical errors, little was changed. Mrs. Johnson carefully reviewed the edited text, adding several corrections and comments. When she finished, she commented that the interview and editing process had been a revealing one for her. She discovered, as she reviewed the documents and reread the transcript, that in several places her memory had not been entirely accurate. Her recollections, for example, had enlarged the amount of money collected by the defense committee under her leadership, and she had forgotten at first, because the memory was so painful, that Ramsay had not been allowed to leave prison with King and Conner because of Immigration Service technicalities. These errors were corrected.

Narrative Account of the Interview:

Mrs. Johnson begins with an account of her work for the Union Recreation Center in San Francisco, a joint project of the Bay Area maritime unions, through which she was first introduced to the King-Ramsay-Conner Defense Committee in 1938. Only eighteen years old, Miriam Dinkin (her maiden name) immediately faced the difficult task of winning the trust and acceptance of the three men in prison. By firmly adopting the position from the start that she was responsible to them alone, she overcame their initial misgivings. Throughout the next four years she remained committed to the men, realizing she was their only link to the rest of the world for all their needs, from socks to freedom.

The defense committee, Mrs. Johnson notes, was under the arm of the Maritime Federation of the Pacific, and received assistance in varying degrees from such other organizations as the Communist party and the International Labor Defense. The ACLU, however, refused to lend its support, arguing that no violations of civil liberties were involved.

Mrs. Johnson describes the committee's principle source of funds, comments on the defense attorneys, and outlines her unsuccessful efforts to persuade George Wallace to confess his true role in the Alberts murder. She then turns her attention to a chronological discussion of the

committee's efforts to free Earl King, Ernest Ramsay, and Frank J. Conner.

The beginning of 1938 constituted a turning point in the committee's strategy, she relates. The failure of the appeals effort in court, coupled with the election of Culbert Olson, a liberal Democrat, to the governor's office, turned the committee's efforts toward seeking either a pardon or a parole for the imprisoned men. The chief obstacle to these goals was Earl Warren, who in 1938 had been elected state attorney general.

Governor Olson's liberal appointments to several state offices, several of whom were friends of the defense committee, and his immediate pardon of Tom Mooney, raised hopes that he might act swiftly, but the committee was to be sorely disappointed. Mrs. Johnson describes the shift in tactics as the committee gradually increased its pressure on the governor, and enumerates the long, frustrating series of broken gubernatorial promises and failures to act.

Applications for the men were filed with both the Board of Prison Terms and Paroles and the Advisory Pardon Board, but both postponed action until 1940. The Parole Board on March 25, 1940 set their terms at twenty years and denied parole. A little over a month later the Pardon Board by a 4-1 vote recommended against executive clemency. Attorney General Warren, a member of the board, was the leading voice in opposition to the pardon.

Meanwhile, Governor Olson indicated his sympathy for the imprisoned men on several occasions to labor delegations, and sent up a series of trial balloons by leaking to the press rumors that a parole or pardon was imminent. Such moves precipitated strong reactions from Earl Warren and the law enforcement community, and Olson in each case retreated. This, Mrs. Johnson relates, considerably angered both the committee and herself, and changed their assessment of Governor Olson.

My mid-1941, Mrs. Johnson continues, the committee prepared to launch a more direct, nationally oriented campaign of pressure on the governor. She describes her difficult decision to approach the now-conservative State Federation

of Labor for help, and her significant victory in gaining their support. With the additional support of several leading CIO international unions, and the assistance of friendly government officials, the governor finally chose to act. No doubt on his recommendation, the parole board paroled the men on November 28, 1941.

Mrs. Johnson describes the strident backlash that followed the men's release, and the investigation of the defense committee by the California legislature's Fact-Finding Committee on Un-American Activities in California that followed. She relates the particular problems facing Frank Conner, whose mental condition had deteriorated considerably in prison, and notes that all three men left California as soon as permission was granted.

Mrs. Johnson concludes by discussing the conditions of the men in prison, noting that their favored treatment was not unusual for men imprisoned for their crime. She describes King as the most articulate and well-versed in labor affairs of the three, and describes the role that the three men played in helping their fellow prisoners who were about to be freed on parole.

Miriam Feingold Stein
Interviewer-Editor

5 April 1976
Regional Oral History Office
486 The Bancroft Library
University of California at Berkeley

TAKING CHARGE
(Interview 1, November 17, 1975)

Background

Stein: Let's start when you took over the committee in February of 1938. I'd like to get on tape what you were just telling me before, which is how the people who were working on the committee knew about you in the first place. What had been your activities on the waterfront prior to February '38?

Johnson: I worked during the '36 strike. I had been on a Writer's Project in '35, WPA [Works Progress Administration] project, and the Union Recreation Center was opening on the waterfront and was supported by WPA. In other words, it became a WPA project and Gus Brown was the director. I had known him personally, and he told me to request transfer to the recreation project, the big title "Recreation Project," so that he could request me for there.

So I came to work there in February of '36, or in March of '36, from the Writer's Project to the waterfront. My co-worker was Lolly Dobbs. I have a picture of myself and her behind the counter at the recreation center. It was at the foot of Clay or Commercial right in the heart of the waterfront. It was used by seamen. It had a gym and it had books, it had all this sort of stuff. I went to work at clerical tasks.

The strike broke, the '36 strike broke, and the Union Recreation Center became the strike headquarters. It was used for meetings and such, so I got to know everybody. It was while working there, when the strike broke, that we formed the Marine Office Workers. I was working as the WPA person at the Union Recreation Center and some of the office workers started coming around. Dave Williams helped me.

Stein: Who was he?

Johnson: He and his wife Claudia were personal friends. In recent years he was an official in the building trades. Don't ask me why he was down there, under what conditions he was there. He and I organized the union, using the recreation center as a base. But I was a legitimate office worker on the waterfront working with the unions, and we organized various docks, called meetings and I was elected the secretary-treasurer. We were given a charter from the ILA [International Longshoremen's Association]. I can't now remember the office number, the number of the charter, it was 38- blank--you know 38-79 was the longshore local--I don't remember what ours was. Anyway we organized a union, began negotiating with employers, trying to enter the demands of the office workers into the waterfront strike.

Stein: Did that work? Were you able to do that?

Johnson: I can't remember. It seems to me that issues were entered, enjoined in some fashion. I just don't remember what happened. I didn't do the negotiating. We tried to get our demands into the strike committee's consideration to raise with the employers.

About January or February of '37--or later, I don't remember-- I had an operation and by the time I came out the strike was over and the recreation center folded as a WPA project, and I was out of a job, all of us were out of a job. I suspect there was quite a bit of battle about a WPA project being used as a strike headquarters. Anyway it was folded and I went back to the waterfront, to the people I had met, looking for a job and someone told me that they had heard the King-Ramsay-Conner Defense Committee needed a secretary and so I went and Archie Carse [committee secretary] hired me.

It was a small office on Market Street and he hired me for \$22 a week, \$20 a week. He was gone a lot so I had to start doing a lot of the work myself, writing letters on my own and at that time it was writing receipts for money that came in and whatever the little money-raising activities were. The position of the case at that time was quiescent, the men had gone to prison, and there was no particular activity, and [Archie] Carse was doing nothing at all. The committee was affiliated with the District Council of the Maritime Federation of the Pacific.

Johnson: I guess I had been there six or eight months when I had another operation. While I was in the hospital Henry Schmidt and Z.R. Brown* came to see me and told me that they were going to fire Carse and would I become acting executive secretary until they replaced me, that was the decision of the District Council. The reason for firing Carse I really never knew. I, in my own head, knew that he wasn't doing anything, but what their reason was I don't know. They just told me they were going to fire Carse and when I came out would I go back as acting executive secretary. I don't think I even saw Carse again. He was gone by the time I came back.

Stein: I think he went back to Seattle.

Johnson: I think he was just fired and left and I came back to an empty office and we moved the office.

Stein: Was there any reason for moving it?

Johnson: Rent. It was just an isolated little office on Market Street, and we moved, as I recall, to 24 California to share--to be relieved of the rent problem by the District Council of the Maritime Federation.

Stein: I see. That's where their offices were at the time.

Johnson: We became part of it. I would have then the help of the secretaries, in other words, they could use me for clerical help, somebody would answer the phone if I wasn't there, I'd be under their wing. Z.R. Brown was really kind of then the head of the committee and I was executive secretary.

First Moves

Stein: What were your first moves in taking over the committee? Did you institute any kind of policy or start on any plan of action?

Johnson: The first problem was gaining acceptance from the men in prison and they were quite resistant, especially Ramsay.

*Schmidt and Brown were both officials of the San Francisco Bay Area District Council of the Maritime Federation of the Pacific.

Stein: Why was that?

Johnson: Well, he had heard that I was a Red, and he was violently anti-Red. I was young. Harold [Johnson], my husband, came with me once the first time I went to visit the men. He drove, I think, some borrowed car, and I could only visit one prisoner so I visited King and he visited Ramsay. And Ramsay told him--not knowing who I was, because my name was Dinkin--that he's got to get rid of that one over there, that they had foisted me on them, and I was a Red and he didn't want me around. Anyway, it was quite a task for me and that was my first job, to win their acceptance.

The first job they gave me, the tacit agreement that I made with Ramsay, and with all of them, then, was that they were my boss and no one else. And that was the way it stayed right until the very end. No matter what Walter Stack* or anyone else thought, V.J. Malone** or anyone else thought, or the committee, or district council or anyone else, I would do nothing without their [King's, Ramsay's, and Conner's] approval, and make no decisions--that I belonged to them, that I was their agent, that I acted on their behalf. That was the first agreement, the first time that they felt they could deal with me, especially Ramsay.

Oddly enough, Mimi, I meant it. That's why when the FBI*** came to visit me later--all the rest of them I always felt like, you know, [in a declamatory voice] Communist party, Walter Stack pounding on my desk, Bill Schneiderman**** trying to tell me what

*Leader of the communist faction in the Marine Firemen, Oilers, Watertenders and Wipers Association (MFOW).

**Secretary of the MFOW.

***The FBI's purpose was to ask me to testify against Harry Bridges. In the course of the discussion, they asked if, while working on the case, I took my orders from any special group. I said, "Yes." "Who," they asked. "The Marine Firemen and the men in prison." Needless to say, I told them I had nothing to testify to and wouldn't. They were quite threatening. [Notes added by Mrs. Johnson.]

****Secretary of the northern California division of the Communist party.

Johnson: to do--didn't matter a bit to me, didn't matter a bit. I could take everybody's advice and then go to San Quentin and say, "What are we to do." We decided what we were going to do.

Stein: Were you conscious of doing that at the time?

Johnson: Oh absolutely; that was a commitment. It was a profound commitment that I made sitting there in jail with those guys. [With great feeling] I had this feeling that they need me to buy their socks, to open the doors, they're sitting helpless behind those bars, and if they ever got the notion that I was not working with them, not being honest with them, and not working on their behalf, how helpless they were. That was what dominated the five years, or four years. It didn't matter--it transcended political behavior. It was that profound feeling of their helplessness. If not me, who?

Stein: That's really a remarkable insight for someone as young as you were.

Johnson: It was very clear, there they sat in jail. And Harold had told me what they thought.

[With emphasis] Imagine if I were them and had to depend on somebody who was going to take orders from someone else and work possibly against their interest for political reasons. Oh Mimi, absolutely not! And they knew it. They knew it from the bottom of their gut. That's why Ramsay trusted me from then on in. He trusted me because somehow, in some way, I transmitted that, that they could all talk and swirl, but I belonged to them. I'd take any kind of help and I'd play all kinds of games with [Vincent J.] Malone and I'd play all kinds of games with Bridges and everybody was tools for me, tools [emphasized] nothing more than tools. I would be sweet and charming or difficult or any way, but they were all tools to get those men out of prison. And that was my only commitment, and that was my commitment, and it was absolutely total. If not me then who? Not Malone, not Bridges, not Stack. They all had axes to grind. The only sense I had was that only I had a commitment to the men. Not to anything else--not to a union, not to a political party, not to the Communist party. I genuinely felt that.

RELATIONS WITH OTHER ORGANIZATIONS

Maritime Federation of the Pacific

Stein: That brings up the question of how the defense committee dealt with all the other organizations that were swirling around in that general picture. First of all, the Maritime Federation: what sort of help did they give?

Johnson: Formal approval. The committee came from the District Council. [Pause] Whether the term "committee" was an actual committee that met at regular intervals or not depended upon a whole series of things. It depended upon who was head of the District Council at that time, what the function of the Maritime Federation was, which changed at various times. So it wasn't always the committee that met, but the secretary of the District Council was nominally my boss all the time, or the Maritime Federation--was my boss.

I had accountability to them and they had accountability to me and that was very important. It was even important in terms of getting to 24 California Street. I wasn't just a little committee out there alone, and you (the case) didn't just belong to the Marine Firemen. You belonged to the broader maritime industry. It was the business of the broader maritime industry, of all the unions. You had access to the Marine Engineers Benevolent Association and ARTA [American Radio and Telegraphists Association] and to--of course SUP [Sailors Union of the Pacific] was out*--to NMU [National Maritime Union] subsequently even though they weren't part of the Maritime Federation, to the Warehousemen. You had access which you would not have had if it had just been an MFOW committee. So it certainly broadened the base. There's no question about it. I can't imagine us functioning--

Stein: Were there any problems that arose with the Maritime Federation?

Johnson: [Pause] As against if you had not been a part of an organization? [pause] I don't know how to answer you. There were thousands of problems but I don't know if they were--whether I would lay them at the door of being affiliated to the Maritime Federation.

**The SUP disaffiliated itself from the Maritime Federation in the late 1930s.

Johnson: I don't remember that I conceived of being affiliated in any other way. It's like, do you have problems in a family? Well yes, you know what I mean. That doesn't mean you don't have a family. I never conceived of any other affiliation, and maybe that's because I was naive. I'd never thought of it in any other terms. It seemed a logical arrangement.

Oddly enough, it is not my memory that MFOW ever opposed that affiliation, even though in retrospect one would say "Why didn't they. They paid most of the money." It was their assessment on their membership; most of the money came from them. But I do not remember that the MFOW, whether it be Malone or [Gus] Oldenberg* or any of those guys, disagreed with that affiliation. Apparently it must have been more helpful than not helpful.

Stein: That's interesting, because that just reminded me that at least in the later years of the Maritime Federation there was considerable tension between the MFOW and the federation.

Johnson: All during that time there was terrible tension between Bridges's faction [on the one hand] and the SUP faction and the MFOW, which was clearly an anti-Bridges union, [on the other hand]. I don't think the MFOW engaged in the Maritime Federation, very much. I don't think so. But I don't, nevertheless, feel that they claimed proprietorship over the committee as against the District Council.

Stein: That's interesting.

Johnson: And that's an interesting thing that I'd never thought about. I never felt torn by affiliation. I felt torn by Bridges-Malone, that whole wild scene--as we talk it comes to me. I was schizzy. I had three bosses, three groupings, that I answered to. Number one was the men in prison. Number two was the MFOW which was a continuous, constant source of advice and help and direction and everything else. And number three was the formal organization, the District Council, ILA, the larger maritime industry. And that's very interesting, that I really had to juggle those three forces. Of course the fourth was the wider--you know, Hollywood and all those other--sources of support.

[Short interruption]

*MFOW official and member of the conservative faction.

Johnson: It's a very interesting thing that I have just learned talking to you that in some fashion they were unconflicted because each one recognized the absolute need of the other. I think that Malone and the MFOW knew that they could not run that thing themselves, they had to have the support of the ILA and of Bridges or they could not run the thing financially by themselves, nor could they give it time nor did they have the wisdom or anything else. They needed the broader support. I think that Bridges knew that the whole thing would collapse the minute that you did not have overt and constant MFOW support. And I think I, in some profound way, knew that. I knew that I couldn't answer to the men and lose that MFOW support. I knew I couldn't do that.

Stein: That was a real tightrope you were walking on.

Johnson: I walked that tightrope the whole time. Add to that the tightrope of a liberal--the Olson administration. The tightrope of balancing between attack and support and God knows what else. It was a tightrope.

The Communist Party

Stein: Well, let me just ask you about that fourth group out there that you just mentioned, which, I guess, included groups like the Communist party and the ACLU. Let's start with the Communist party. What was their role?

Johnson: Which part of the party?

Stein: Well--

Johnson: Waterfront party, uptown party? It's very important, the difference.

Stein: Well then, let's take each one. The charge of course was made by law enforcement people that--

Johnson: And by the Tenney Committee.*

*California Legislature's Joint Fact-Finding Committee on un-American Activities, established in 1941 with Assemblyman Jack Tenney as chairman.

Stein: And by the Tenney Committee, yes, exactly, that the case was simply a tool of the Communist party and that it was communist propaganda that got the men out of prison.

Johnson: They couldn't have been wronger. Well, the case was very unimportant to the party uptown. Really their role in that case was like the ACLU or like--they supported it. They felt that it was a frame-up and the men should be freed--it was a labor case. They were much less concerned with that than with Tom Mooney and anything of this sort. They had very little concern or interest, I mean on the part of [William] Schneiderman.

The Communist party on the waterfront was another story. The battles on the waterfront--whether they be B.B. Jones* and Stack and the various people at various points, whatever constituted those factions, all the way up to Hughie Bryson**--the case had a number of functions. One of them, in the MFOW itself, it became a kind of battle between Stack and Malone: who was running it, who was responsible for it; Stack trying to tell me what to do, Malone fighting Stack and sometimes on the floor of the meetings. So the situation became who owns the case, really, between the Communist party, the MFOW and V.J. Malone.

The case also became a football, and in the line of fire, not the case but me, in the line of fire in attempts to get Bridges. I was called before the Control Commission of the Communist party--I don't know if you know this--I wasn't a member of the Communist party--someone came to my home. But I was around the communist movement. My family was, so nobody ever bothered to check that I wasn't--I was too young. It's not an accident; it wasn't just political. It wasn't just that I was a nut all my life and was always asking why and disapproving of every formal thing. Even as a young person, you know what I mean. It's also that I was all of eighteen! You couldn't even join the Communist party until you were older, and I was already in the King-Ramsay-Conner--I couldn't have joined the Communist party. I never got there. I never got there, for a variety of reasons.

*Member of the International Longshoremen's and Warehousemen's Union.

**Member of the Marine Cooks and Stewards Union.

Johnson: Nevertheless the Communist party sent a person to my home at midnight one night, when I lived on Pine Street and I was already head of the King-Ramsay-Conner Defense Committee and had already moved to 24 California Street, asking me to appear at seven o'clock at a control commission meeting at 121 Haight Street. No one told me why. I was scared to death, didn't know what it was all about.

I did show up there. It was very secretive and there was a whole crowd of people, none of whom I knew. I was getting the charges, there were six charges against me. It was really a kangaroo court. One of them was that I had love affairs with eight men or six men, three of whom I had never met and didn't know. Germain Bulcke was one. And that was how I met Germain Bulcke.

Stein: [Laughter] What a wonderful introduction.

Johnson: We kidded each other for years and said "Lover." [Laughter] That's how I met him. Henry Schmidt introduced us sitting at Weinstein's Drug Store. That's how I met him.

I hadn't had love affairs with any of them. I was too young, too naive, and too bloody dedicated to have had any love affairs with anybody at that time, it just so happened, which was kind of insane. But Bridges, [Lou] Goldblatt right down the line, Bjorn Halling and Henry Schmidt, and Germain Bulcke.* I didn't know Halling and I didn't know Bulcke.

That was one of the charges that I had slept with all these men. That was the standard anti-female charge about anybody who was around men. That I had misused funds. That I had--just a whole bunch, I don't remember what they were.

The person who was presenting these charges was B.B. Jones on behalf of a faction on the waterfront. Now the thing was so insane, the odd thing was that I didn't really know what the hell was going on except that I was defending myself. But what emerged there was that it had nothing to do with me, that this was an attack on Bridges. And that's what they (the Control Commission) decided, that these guys, through me, they were just using me, because I was associated with Bridges in that he was

*Officials of the ILWU.

Johnson: supporting the case. It was an attack on Bridges and to this day--I was too young and too wide-eyed to understand.

I still don't know except that out of it came funny things like meeting Germain Bulcke and Bjorn Halling, and being introduced to people with whom I was supposed to have had an affair, which was a joke. Henry Schmidt understood that; he still understands that. I'm sure he would understand a good deal more about that whole thing than I, because they were into party politics and I wasn't. I was just--you know. But I was vindicated. Whatever the charges against me, I was not removed as head of the King-Ramsay-Conner Defense Committee.

Stein: They wouldn't have any power to do that in any event, would they? If they had found you guilty, could they have removed you?

Johnson: Yes. The party couldn't have but they certainly had enough people in the District Council. They surely could have raised the issue at an ILA meeting. [Emphatically] "Get that whore off the waterfront." They surely could have proceeded very energetically. Not the party per se, but if that had been the direction I would have been destroyed in about three minutes.

That doesn't mean that they necessarily approved of me, but I was not the path to accomplish whatever--that was a factional battle. That was what it was at this wild meeting at 121 Haight Street, which I never did understand. I never understood the whole thing, I just knew I hadn't slept with those six men, or take money. [Laughter]

Stein: It sounds like something out of a Kafka story.

Johnson: It was--the whole thing was Kafka. Midnight! Harold [Johnson] would remember. At midnight they banged on my door. And I knew my job depended on my going to that meeting. I did know that.

The International Labor Defense

Stein: Speaking of other communist groups, what role did the International Labor Defense play?

Johnson: In the case, none--formally. In the broader sense, for an example, around the McNamara brothers,* when they moved over to San Quentin, I mean Jim McNamara, or whatever his name was, then. And when he died I was responsible for his funeral. I worked with the International Labor Defense to arrange that. A number of times, other labor cases, like that Johnson--the Modesto case.**

Stein: The Modesto Boys.

Johnson: The Modesto Boys. As is the situation when labor cases arise, whether they emanated from the trade union movement or the International Labor Defense, help would be exchanged in one form or another--distribute, talk it out, add it to your list of whatever. Whatever it was, but nothing formal. ILD was not part of the King-Ramsay-Conner committee.

Stein: George Andersen was an ILD attorney, wasn't he?

Johnson: Oh yes, indeed he was, from way back, from the '30s, early '30s. Harold [Johnson] was defended by him, in the '34 strike. Harold was arrested and was on a nationally known hunger strike, along with a number of others. George Andersen defended him. He was arrested on vagrancy. Harold was a seaman, and helped pull the seamen out on strike. But the ILD, as an official organization, I do not recall any formal relationship. I remember calling Elaine Black, who was head of it, I recall exchanges, but I don't recall that any support or policy or anything of that sort came from them.

*The McNamara brothers, Jim and John, had been in prison since 1911 for the bombing of the Los Angeles Times building.

**The Modesto Boys were a group of seamen, most of them members of the MFOW, who were arrested and jailed in 1935 for possession of dynamite with which, it was charged, they were going to blow up a hotel in Modesto housing strikebreakers during the 1935 tanker strike.

Stein: About the McNamara funeral, where was that? Where did they have it?

Johnson: I don't remember. Somewhere in Marin.

Stein: The reason I ask is that in the Voice of the Federation I came across a curious article about the funeral which ended up saying that Earl King and Ramsay had been honorary pallbearers, and I thought, "Well, that isn't right."

Johnson: They were pallbearers in name I think. They asked to be there in name, because they loved him. They loved him. They are the ones that got me involved. King and Ramsay became very involved with him during the short time they knew him in San Quentin. They learned a lot about labor history from him and got all kinds of feelings, and when he died--they're the ones that pushed me into that. It wasn't the ILD. It was King and Ramsay who wanted me to play a very big role--give them all the help.

The American Civil Liberties Union

Stein: The only other group I want to ask you about is the ACLU and that requires some documents here. [Gives Mrs. Johnson several papers.*]

Johnson: I do want to tell you that we had an awful lot of support from cultural people. Writers' Congress, Hollywood people, Lionel Standard, Margaret Shedd, the writer, Dorothy Day, of the Catholic Worker.

Stein: That's right, she wrote an article on the case.

Johnson: All sorts of people of that kind, sometimes in groups and sometimes as individuals. Writers' Congress--I forget who our big organizations were then.

Stein: In 1941 the ACLU issued a number of statements on the case, and evidently they issued a few in the summer.

*There are several letters and statements relating to the ACLU's relationship to the case in the King-Ramsay-Conner case papers at the ILWU Library.

Johnson: Did you know that Oppenheimer was involved with this? J. Robert Oppenheimer?

Stein: Yes. I want to get that story again. [shuffling of papers] After Governor Olson spoke at the CIO convention [in October, 1941] the ACLU issued another statement.

Johnson: [Long pause] Actually, the more I think of it, the more I think they were right (that there was no civil liberties issue). In my memory--I'll have to read this again--but my memory is that we went to ACLU--this is very quick, I'll refresh my memory. My memory is that we went to ACLU and asked for them to come out in support of the case, that the executive board, or some grouping, got into a big scrap about it and refused to on the basis, not of guilt or innocence, but of inappropriateness. My memory is that there were some board members that came to us and tried to find other ways of getting ACLU to act.

Years later, I told you, I had occasion to see Ernest Besig* and he said "If you had to testify did you ever meet J. Robert Oppenheimer, what would you say?" And I said, "Of course I never met J. Robert Oppenheimer." He showed me a letter from Robert Oppenheimer. He told me--now I have no evidence of this--that J. Robert Oppenheimer was one of those ACLU people who quit the executive board because he was in support of the King-Ramsay-Conner case, and I must have had personal dealings with him.

Stein: That's interesting. He resigned because ACLU refused to endorse it.

Johnson: I have no memory of dealing with them at all. [Consults documents] This was '41?

Stein: Yes. The story of the Besig letter is that Governor Olson, at the state CIO convention in 1941, had said that he did not believe that the case was a frame-up, but that he thought that the men had served sufficient time in prison, that they had repaid their debt to society but that the case was not a frame-up. Besig wrote to the governor saying that he agreed with him, that he, Besig, also thought that the case was not a frame-up.

Johnson: Which is quite different from saying that there is no civil liberties issue.

*Northern California director of the ACLU.

Stein: I think that the ACLU wouldn't make that statement today, that there is no civil liberties issue by their standards today. There were plenty of civil liberties issues.

Johnson: Then.

Stein: Yes. But then, by whatever standards they were going by, evidently they didn't consider Frank Conner's confession a civil liberties issue. [Pause] [Papers being shuffled]

Johnson: I would say that now, just in looking this over, if you notice the dates, it was because of Besig's letter, I think, that Oppenheimer resigned. There was a lot of pressure within the ACLU. He did not apparently just write and say that this is not a civil liberties issue. He said it wasn't a frame-up which is quite a different thing, isn't it.

Stein: And it was immediately interpreted--

Johnson: And a frame-up is a strange thing, how you interpret--that's another story. But a frame-up is not necessarily the manufacturing of evidence. It is the distortion of evidence, it is the collection of evidence, it's the interpretation given to evidence, it's a series of things which is not necessarily a plot.

Stein: I think the Civil Liberties Union was taking a much narrower definition of frame-up, as was Governor Olson.

Johnson: Anyway, that's what I remember about them. I thought the ACLU was a phoney organization; I thought Besig was a phoney guy. But then that was an old traditional left position about the ACLU, so their refusal to support the case was not startling. I do remember now that Besig's letter was regarded by many as an attack on this thing.

Stein: Yes, it was, it was. That's the reason, I think, for that resolution from the ACLU executive board, because there had been such an outcry from left-wing groups in response to Besig's letter.*

*Statement on the King-Ramsay-Conner Case Adopted by the Executive Committee of the Northern California Branch of the ACLU, 12/5/41. In the King-Ramsay-Conner case papers in the ILWU library.

Johnson: And within their own--

Stein: Yes, and within their own organization. Because it had been given quite a play in the press. Evidently it was picked up by the newspapers and it was headline news.

Johnson: Well, it was a crack in the wall of solid support. It was evidence on the other side--I remember now. We did anything to strengthen Olson's hand, and this was weakening it.

Stein: Is there anything else we need to say about the ACLU before we shift to fund-raising?

Johnson: Except, that it seems to me that out of that struggle came a lot of individual support. I think Margaret Shedd came out of that struggle and a number of other people, that had associations with ACLU that offered one or another type of support, that couldn't do it from within the ACLU.

FUND-RAISING

Stein: Turning to the question of fund-raising, I don't know if there's very much to ask except what sources you tended to count on, what unions--

Johnson: ILA and MFOW. We counted a lot on the ships' crews. I made quite a practice for a long time of hitting the ships when they came into port, meeting the men down in the fo'c'sle know, sort of passing the hat and getting commitments. At various points we got either MFOW or some other unions to assess their membership, which would give us support. Things like the [S.S.] Lurline party raised quite a bit of money. There was some selling that was done: we sold pamphlets, we sold buttons, the boxes were out.

Stein: That was cigar boxes in saloons.

Johnson: There were some other tricky things. We had a bazaar one time.

Stein: There was a bazaar with the ILA ladies auxiliary.

Johnson: Right.

Stein: You sold postcards with pictures of the three men on them.

Johnson: There were a number of salable items. We covered, for instance, mass meetings of any kind, where we would go to the meeting, get a couple of guys to go to the meeting or I'd go, and sell stuff. I forgot what the traditional ways of raising money were, but mostly we depended on the ships. Occasionally we'd get money from people in Hollywood. I remember making a few trips down there, usually by thumbing or some other method like that, to get donations from individuals.

Stein: Can you remember any in particular who--

Johnson: Well, I think Lionel Standard was one, I guess Gail Sondergaard, I can't remember the names of the left, kind of left, trade union-- I'm not entirely sure that [Ronald] Reagan wasn't one, [laughter] but that's beside the point. He was in the Screen Actors' Guild then. It seems to me that most of the receipts we were writing were to ships' crews, from guys that took collections of one kind or another, at union meetings, or just passing the hat at the end of union meetings was another way. Or a union would vote a couple of hundred bucks. It was constant. Do you know how much money we raised? Fifty thousand dollars.*

Stein: Over the course of--

Johnson: Seems to me, over the course of the time I was there. Because in the final--you know, our expenses were very low. I got paid \$25 a week and then I went as high as \$32 a week. And when things were rough I went down to \$20 and worked, presumably, part time. I hired various part-time secretaries at various times for \$10 or \$15 or whatever. Angela Ward worked, my sister Lil worked, but mostly I did my own secretarial work. We got volunteers, counted a lot on volunteers. A lot of guys hung around the office. They'd run errands.

I had to go to San Quentin--I never had any transportation money at all. My standard way was to call the MFOW and find somebody, [the dispatcher would] call over the loudspeaker [at the union hall] and get somebody with a car to drive me to San

*The amount of \$50,000 is not correct. The actual figure was less than that, but over the years my memory distorted the success of our fund-raising and enlarged the amount. [Note added by Mrs. Johnson while she was correcting the transcript.]

Johnson: Quentin. That's how I went. Or the attorneys would take me. I didn't drive and I didn't have a car. We didn't run things then like now. We didn't have expenses, you made do with whatever.

The main expenses were the men in prison and the lawyers, briefs, and legal expenses. Those were main expenses. Most of our money was used for that and for the individual needs of the men, and for a while we paid money to Gwen Ramsay, which of course I've always resented. She was young, able-bodied, and childless. She could have worked--just as I worked. She did nothing to help.

Stein: Were either the AFL or CIO any help at all in fund-raising?

Johnson: The CIO wasn't there in the beginning, you know.

Stein: That's right.

Johnson: The last act, just before the men were freed, Leo Huberman went back to a national CIO convention and got a resolution of support passed and got money from Phil Murray, got money from the larger organization. We were moving out to the national scene--that was one of Leo Huberman's purposes in coming aboard the case, was to write a pamphlet and to make a national appeal, to broaden the base of the case beyond California and to touch the national unions, particularly the CIO.

Stein: How about the AFL? Did you ever get any financial support from them?

Johnson: No.

Stein: Or the state federation?

Johnson: We got it just at the end, after we went to that convention.* And that wasn't so much financial support. What we finally had was their stamp of approval and the right to use their mailing lists of their union locals, start making appeals directly to the union locals. That was [Ed] Vandeleur's organization.

*The 1941 annual convention of the California State Federation of Labor, held in San Francisco in September.

Johnson: But prior to that time, we didn't really. We had a core group of AFL trade unionist who supported us, and that included, as you know, [George] Kidwell, and George Hardy and that whole group of more liberal AFL trade unions in San Francisco and a few here and there throughout the state. But it did not involve outlay of money. The money was maritime money, almost all of it. The District Council [of the Maritime Federation] for a while paid some money, underwrote basics, like the rent, typewriters, telephone, stuff like that.

Stein: But that stopped at some point?

Johnson: Seems to me that it did. No rent, because we continued, it seems to me, right until to the end, to be part of their offices. When they moved to Second and Market, we moved with them. Their suite of offices always had a place for King-Ramsay-Conner. So rent was taken care of. The telephone was either part of their system or they paid for our telephone. So from that basic point of view, it was part of the system. It was the value of being part of the bureaucracy.

Stein: You just mentioned before that there was an attempt to broaden support and to nationalize it. Was this part of the reason for applying to the Marshall Foundation for funds? [Shows Mrs. Johnson the King-Ramsay-Conner Defense Committee application to the Robert Marshall Foundation, 10/8/41.*]

Johnson: The Marshall Foundation? [Pause] [Referring to Marshall Foundation application] This is much too well-written for me. I'm sure it was written by Leo Huberman. On here it says the committee raised approximately \$70,000. I was responsible for \$50,000. The final audit, when we closed the office up, was a complete audit of my activities in the case, to give to the Maritime Federation in order to clear me of any--in order to make a complete accounting for my period and I remember that it was around \$50,000. So \$20,000 must have been raised before and during the course of the trial.

Well, here's quite a run-down of where the money came from. Do you see it?

Stein: Yes.

*In the King-Ramsay-Conner case files in the ILWU.

Johnson: Twenty-five thousand dollars from the men's own union and \$17,000 from the ILA, the longshoremen. That's \$42,000. [Pause] This came just before the release, didn't it?

Stein: Yes. Of course, you couldn't have known that when it was written. What was the Robert Marshall Foundation, do you remember?

Johnson: I have no idea.

Stein: Or do you know who Jerry O'Connell is? He's mentioned in the first sentence.

Johnson: I associate him with the legislature. I think he was a legislator, a California legislator. [Shuffling of papers]

This was an attempt to move it out to national basis. [Pause] You see who signed it?

Stein: It's Malone and George Hardy and Mervyn Rathborne.

Johnson: Okay. I don't know anything about the Robert Marshall Foundation. I don't recall Jerry O'Connell. This was not written by me; it's too well-written. It's written by Huberman. It must have been something he heard of.

Very interesting. Obviously we were on the move, having gotten the approval of the AFL convention, having gotten the national approval of the CIO, we were on the move. We were nationalizing the case.

SOME LEGAL QUESTIONS

Comments on the Defense Attorneys

Stein: I'm going to postpone the discussion of the AFL question for a second. I want to turn to some legal questions about the case. In early 1938 there was quite a flap about the attorneys. King especially became very disaffected with George Andersen--

Johnson: The first act when I was in the office.

Stein: I wondered if you could shed some light on that.

Johnson: Yes. That was the first time that, I think, the men tested me, where my loyalties were. It was the first real involvement that I had with the case, that is involvement in that I was asked to do something, that I got involved with the men. When I came on, in '38, when I came on as executive secretary-- the men had been convicted when?

Stein: Early '37.

Johnson: That means they had been over a year in prison.

Stein: That's right.

Johnson: No appeal had been filed.

Stein: Well, some of the appeals had been filed, but there had been a long delay. The first rounds of briefs had been filed. And then they just sat.

Johnson: I can't reconstruct the technical legal position, but they had just sat. King asked me to find out why. I had gone to Andersen. He had turned the matter over to a disbarred attorney to write the necessary briefs, which often happens. I have forgotten the man's name but I went to see the man.

Stein: Was that John Ehlen or Joe Lacey?

Johnson: No, no. Lacey is who I think it was. John Ehlen was not, he was a fascist pig, a terribly anti-semitic man, that they heard about in San Quentin. It was Lacey, I think it was Joe Lacey. Anyway, he was a friend of Andersen's. This often happens that a disbarred attorney does the technical work of writing a brief. I cannot tell you to which court; I think the appellate court. But he had not done it, and he had been paid by the committee.

I reported that to the men. George [Andersen] had not called him on it; he had not forced the issue. And that was when King said we fire George. We get rid of George and get another attorney; it's not moving. And I fired George.

Now I think--and I can't remember the sequence--it seems to me that there was again a flurry of talk about [Sam] Liebowitz, as I remember, and there was a flurry of talk about another guy

Johnson: they tried to get me to get, some national figure, but in San Quentin they heard about this guy John Ehlen and he came aboard. He was a rat, personally a rat, and he had to work with [Herbert] Resner and [Aubrey] Grossman. I can't remember now what his task was but he did do it, whatever it was, to file that brief. Is that what it was?

Stein: Yes. The first round of briefs had already been filed, the opening statement of the defense, and the DA's office had come in with its reply. And that's where it sat. There needed to be a reply brief to the DA's brief.

Johnson: But it had not gone to the appellate court yet.

Stein: The appellate court hadn't heard it.

Johnson: And that was the point. It had sat and sat there, and payment had been made, as I recall, for some aspect of the appellate work, and it had not moved. Andersen, I believe up to this day, was totally responsible. It doesn't matter whether it was technically impossible, he failed, and I believe this quite seriously, he kept them dangling. He had an obligation to go to San Quentin to explain to them, and they made repeated attempts to get him to come out, or to talk to them. He never told them why, he never explained to them why it was delayed, he ignored them and they fired him through me. And I remember feeling that they were absolutely justified.

Stein: Were there any political overtones to that?

Johnson: No.

Stein: Was King at all resentful of Andersen's left-wing politics.

Johnson: Bullshit. [With emphasis] He knew about Andersen's left wing politics all the way through. Oh no, that wasn't it. I didn't hear that--everyone said that [emphasized] but I knew that that was a bloody lie. Andersen was fired because he was incompetent and he was genuinely incompetent and unfeeling or appeared so to the men and therefore to me. That's when I began to get this feeling, "they're helpless, they're helpless." [With emphasis] They're dependent on this one to do that, that one to do this, and it was in direct contrast with Andersen that I made my personal resolution, they will never wait for me. They're helpless. And Andersen ignored that.

Stein: Did Andersen leave the case at that point?

Johnson: Oh yes. He was finished. From then on he was out. We didn't want anything more to do with him. I mean, King was very angry, and I felt he was right, he was dead right. You know, you can talk political nonsense until you're blue in the face, but there it sat in Joe Lacey's office. All the efforts on the part of King to find out where was it, where it was, was not being responded to. They didn't know where it was, they didn't know what was delaying it. Andersen wasn't pursuing Lacey, Lacey wasn't doing anything about it, and he was fired for that and nothing but that.

Isn't that funny. That same loyalty to those men comes through as I talk. I was just furious. He was my hero, George Andersen was, but I was just furious. I was just so furious. [With emphasis] I was young and incensed that they would let them sit there without answering. Maybe it would have been useless, but don't promise them, don't dangle people who are serving in prison. If there's no hope, say it.

Stein: What was different about Andersen's role from Resner and Grossman?

Johnson: He was the chief. He was the chief. The fact that it was not a politically motivated firing is clear. Grossman remained on the case. They didn't get rid of Grossman. He was just as political a person as Andersen. I remember hearing those rumors that they got rid of him because of political reasons, and I felt that it was just an attack on the guys. The helplessness of the men! [With emotion] That arrogant son-of-a-bitch Andersen walking around, could start any rumor he wanted to, in defense of his own incompetency. They couldn't answer. I mean the evidence wasn't there. They didn't fire Resner, they didn't fire Aubrey. You could say anything you wanted about it. I was so enraged.

Stein: That's really interesting because it seems to me that this is precisely where oral history is so valuable. I came away from the written sources with precisely the feeling that the reason that King fired Andersen was political, was because he didn't like his politics.

Johnson: Why would he suddenly not like his politics? He accepted him as a trial attorney. What would he like more about Aubrey's politics? Aubrey stayed on the case.

Stein: If anything Aubrey was more political.

Johnson: He was more political than George. That wasn't the reason.

Stein: What about the other attorneys, George--

Johnson: [Interrupting] That's a very comfortable thing for George to say. You're damn right you see.

Stein: That's a standard--

Johnson: Sure. I'm the good guy, that's why they're firing me. [Emphatically] For what? Tell me why all of a sudden. Why? When all that was involved was a lousy little unimportant-- unimportant in the public sense, but appearing very important to the men--appellate brief. Why would they fire him at that point? That's silly.

Stein: What about the other attorneys that worked on the appellate brief?

Johnson: George Olshausen. George Olshausen was an attorney's attorney. Everyone told us that, that his presentation, his public manner were deplorable and that he should never be a trial attorney and probably shouldn't argue before the appellate court, but his legal work was the most brilliant. And that's what I told the men in prison and that's what I heard from everyone. That was his reputation in town, a lawyer's lawyer. We were very lucky to get him.

Stein: Did you--

Johnson: Funny. I got mad again about that Andersen thing, that same strange commitment to those three men, personal commitment. You know I had a similar experience not too long ago, about six years ago, when I became a special consultant to Ben Hargrave for the employment service, and I had the same sense that no matter what else, you never play a game with that person, any game. You never keep anything from them, you're always absolutely straight. That's your commitment. That's to whom your loyalty goes. They may be dead wrong and you fight your head off with them but that's to whom your loyalty is, and that's the way I felt about the men.

Stein: How about Leo Friedman?

Johnson: Oh. That's the guy.

Stein: The other national figure besides Sam Liebowitz?

Johnson: Yes. He was a guy with a national reputation, Leo Friedman. And it seems to me that we brought him aboard for some work. Was he an attorney of record?

Stein: Yes. He helped write--

Johnson: He was very costly and very arrogant. I don't think he went out to talk to the men.

Stein: He was one of the attorneys who argued the case to the appellate court. Come to think of it, George Olshausen was also. Three or four of them argued before the appellate court and Leo Friedman was one of them. Then there was a series of briefs after the appellate court appearance and Leo Friedman helped.

Johnson: That was the state supreme court, wasn't it?

Stein: Yes. It was sent up to the state supreme court and Leo Friedman wrote an amicus curiae brief.

Johnson: He was a very important lawyer, with a great reputation, national reputation.

Stein: Was he another F. Lee Bailey, an outstanding criminal attorney, or did he specialize in--

Johnson: No. He was an outstanding criminal attorney and I don't know why. I remember feeling then, from my very limited perspective, that he came in at the wrong time. In other words, he was really a trial attorney.

I'm having trouble reconstructing. Where was he located? It seems to me that I had very limited personal contact with Friedman.

Stein: I don't know.

Johnson: It seems to me that my contact with him was very meager, very limited.

Johnson: I have a strange memory, I have a strange sense that I saw Friedman and I talked to him, but all of the dealings were with the attorneys and I had very little contact with Friedman. I don't think that he went out to see the men. I think that was one of their complaints but it's very vague.

Stein: I know that the suggestion was that the men were eager to have him come aboard--

Johnson: Yes, he had a big reputation.

Stein: Do you want to comment on Resner and Grossman at all?

Johnson: Grossman was the old standby. Grossman was the guy who was always there. Grossman was the guy who took me to prison on a number of occasions. I remember we used to stop at New Joe's--that was just a hamburger stand--and we'd pick up a hamburger. I can't now judge his legal abilities but he was the responsible lawyer for us, as far as I was concerned. He was the person I turned to. He was the advice giver and he was the most closely allied with the committee. Resner left the case, didn't he?

Stein: His name appears on all the briefs. He was also working at the time with the Mooney--

Johnson: Well, that was his main function, was the Mooney case. And it just seems to me that he played less of a role. The main attorney that I dealt with was Grossman. He was a trial attorney, wasn't he?

Stein: Yes he was.

Johnson: He was part of the firm.

Grossman and Gladstein were the first two partners because I went when they opened their first office, and I was still at the recreation center. We drank a toast in an empty office. They were first two. Then I think Resner came in.

Stein: I think Resner went into partnership with Andersen.

Johnson: That's it. Resner came in with Andersen, and they were two separate firms. So we dropped Andersen, we retained Resner, we kept Grossman but not Gladstein.

Stein: Gladstein was never in the case.

Johnson: Never in the case. I don't know why Gladstein wasn't in the case because they were already partners.

Stein: I don't know why either.

The George Wallace Affidavits

Stein: Let's discuss the George Wallace affidavits for a moment. I know you and Harry Bridges went to see Wallace in San Quentin in the fall of 1939, but there are some statements of Wallace's that are earlier than that. In 1937 an ex-inmate at San Quentin made an affidavit for the defense attorneys that Wallace had told him that he alone killed Alberts, that King, Ramsay, and Conner were innocent, but that he had been tortured by the DA's men to implicate them, and that the DA had not lived up to his promises. That's another affidavit from a prison guard who was asked to listen in on a rerun of this conversation.*

[Shows Mrs. Johnson affidavits and deposition of Miriam Dinkin, 10/7/40.] Evidently you visited Wallace once before you returned with Bridges.

Johnson: That's right, because it's when I went with Gus Brown that Wallace asked to see Bridges, seems to me. Isn't that right?

Stein: Yes.

Johnson: He pushed the question of seeing Bridges and that's when Bridges and I went back. [Pause] [Tape off]

But this first affidavit, which I don't remember seeing. It was at a dull point, at a really quiet time, 1939, before Governor Olson was elected, or before he was in office. Wasn't it?

Stein: No. He was elected in '38. I just realized that that was also

*Affidavits of William B. Milan (9/3/37) and William H. Peters (9/13/37). In the papers of the law firm of Gladstein, Leonard, Patsey, and Andersen in The Bancroft Library.

Stein: right after the Bridges hearing was over. The Bridges hearing was in the summer of '39.*

Johnson: It must be, and this pricks my memory, that the attorneys suggested to me that they had some evidence indicating that Wallace had talked in prison and King, Ramsay and Conner told me that the rumor had gotten around, they knew about this, and that maybe we ought to start to see if there's some way to deal with Wallace. It was really King and Ramsay, as usual. What I did was usually in response to what they indicated was important and so that's what prompted us to go over. It was really King and Ramsay that reflected the talk in prison, that Wallace was talking and had had something of a breakdown. And that's what prompted that visit. The thing, the dreadful thing, was that there was nothing we could do. We were helpless.

Stein: The appeals had already been finished by then. Is that why nothing was ever done with those affidavits?

Johnson: The reason that nothing was ever done with those affidavits, in my memory, was that Wallace would never have repeated it under any kind of oath, that he would have denied it. The attorneys told us--and I remember when Harry and I discussed it afterwards and talked with attorneys (they arranged for us to give the affidavits)--that their judgment then was that unless Wallace was willing to sign a statement it was useless information. It was interesting, but you couldn't do anything. You couldn't open a case, you couldn't ask for a new trial, you couldn't do anything legally with that information.

Let's say you asked for a new trial. You'd have to get a statement from Wallace that he'd be willing to so testify. And he never would because he'd be putting a noose around his neck. Under no circumstance, in any legal proceeding, would he be willing to accept and take that position, so what could you do with it?

Stein: Just to get on tape what you told me earlier, is it true that he virtually admitted to you and Bridges that he was the one that had knifed Alberts?

*An Immigration Service hearing to determine if Harry Bridges was a member of the Communist party and hence deportable. It was held in the summer of 1939 on Angel Island, and was presided over by James M. Landis, dean of the Harvard Law School.

Johnson: Absolutely. He described it to us--it was an appalling thing, for me--it was very hard to hear--the look on Alberts's face when he pushed the knife into him.

Stein: He described that?

Johnson: He described that.

Stein: He described the whole murder scene then.

Johnson: He described the murder scene to us. Didn't I say that [in the affidavit].

Stein: I don't think so. [Pause]

Johnson: My memory is of a very clear look on his face as he was talking about a knife. [Pause as she reads document.] Now this is my memory. My memory is that he described the murder scene, he described knifing Alberts, and that the attorneys advised us not to put that in the affidavit.

Stein: Why?

Johnson: I can't remember. If I could sit down with Harry we could reconstruct it. This is clear like that to me, that action with the knife [makes a downward thrusting motion]. We were very excited, both Harry and I, and the attorneys advised us against putting it in the affidavit. Whether it was because it would reduce the chances of Wallace testifying, if he knew that we had evidence that he actually committed the crime, or whether it didn't fit their assumption that [Ben] Sakovitz had done it, and made the whole thing impossible--

Stein: It clearly contradicted his testimony at the trial, which was that he had been standing outside the cabin acting as a lookout and that all that he had heard were these sounds.

Johnson: Yes, but he told us differently. [With emotion] He told us that he was in the room, because I remember saying "In the room?" and he described the knife thing. And I remember clearly that the attorneys advised us not to put it into the affidavit, to omit it from the affidavit, both Harry and I, and it was when Harry was there, not Brown. And that was the advice. And I can't remember why, I don't remember why, except that I thought they felt, either they thought that Sakovitz had done it or

Johnson: they felt that if that's the evidence we have, it would weaken our chances of getting Wallace to agree. It would reduce the possibility of any kind of compromise testimony.

Stein: Yes. He certainly would never swear to that.

Johnson: He would never swear to that.

Stein: It would put him right in--

Johnson: That's right. So they advised us to keep it out of the affidavit. And we did.

Stein: That's really interesting. I guess it's pretty obvious why he lied, then. He lied in his confession to the district attorney's office and he lied on the witness stand, if what he told you was the truth.

Johnson: Well, his whole reason for lying he says, in here [the 1937 affidavits] was that he was intimidated, he was kept in that hotel, he was beaten up. "A man has the right to fight for his life," is exactly the term he used. I remember answering, "Not by taking other peoples' lives." He said what they told him to say, he claimed. Whatever. "I have as much right to fight for my life as Ramsay has." He hated King. Whatever. He was an irrational man, he was crazy as a loon. It comes to me clear (why wasn't it in the affidavit?) but I remember the scene too vividly, that we were just like this, both Harry and I were--

Stein: You must have been bug-eyed.

Johnson: Bug-eyed! Absolutely bug-eyed, and we thought we had it, the key to unlock the door. But we came back to San Francisco and we had to write this instead.

Stein: That's the greatest anti-climax.

Johnson: Yes. It was terrible. I do remember now, and I will, if necessary, check with Harry, but I don't know what his memory is. He's as nutty as a fruit cake himself at this point. But I think that's true. I not only think it, but I remember the discussion, and I remember my horror, and I remember even saying the words "Were you in the room?" "Of course--" and then this gesture of his, the way Alberts looked when he turned around. Somebody else was

Johnson: in that room with Wallace holding Alberts. Another person-- Ben Sakovitz. My image is that Alberts turned his head.

THE ROAD TO FREEDOM, 1939-1941

The Election and Inauguration of Governor Culbert Olson

Stein: Let's turn to the defense committee's work after the end of 1938. First of all, let me just lay a little bit of ground work here so I can tie some threads together. It seems to me that the end of 1938 was a turning point in the defense committee's strategy because, first of all, the appeal was decided in December of '38, and the supreme court denied a hearing in January of '39. So that meant the end--

Johnson: The end of the legal--

Stein: The end of the legal thing. Also, in November of '38, Culbert Olson was elected and he was sworn into office in January of '39. So on the one hand you were faced with no more chance of a legal avenue of their getting freedom and on the other hand you were faced with the first Democratic governor in the twentieth century who would--

Johnson: Whose first act was to free Tom Mooney.

Stein: Yes. Just to back up a bit, was the defense committee pretty much supporting Olson from the beginning of his candidacy?

Johnson: To the degree that the defense committee was involved in politics, of course, surely. I forget who was running against Olson. Whoever it was, we knew that the Republican machine meant more Earl Warren.

Stein: Frank Merriam, the incumbent, was the Republican candidate, but I can't remember who ran against Olson in the primary.

Johnson: Anyway, we knew that there was no hope there, and the only hope lay with Olson, especially since he had made a commitment on Tom Mooney, and he had the support of the unions. Obviously we anticipated that the election of Olson meant--I remember that



Johnson: King, Ramsay and Conner were very involved with the election of Olson, I mean, very concerned with it. When I visited them, they saw their freedom as tied to an Olson election.

Stein: Had Olson said anything specifically about King-Ramsay-Conner before he was elected.

Johnson: I don't think so.

Stein: Then they were just going on what he had said about Mooney.

Johnson: Yes. Plus the support of the trade unions, plus the assumption that Patterson was the lieutenant governor running for office who had made statements about King, Ramsay and Conner, and was in support of the case.

Patterson was an important source of support. I flew with him a couple of times on planes (by accident), made trips to L.A. when I got over the hitch-hiking days, and he was very supportive of the case, Ellis Patterson was. I mean we had all the ins in the Olson administration, everything but actions.

Of course, you're quite right. It was a turning point. It was from seeing state government as our adversary to seeing state government as a possible solution. From never withholding your attack to beginning to act in a manipulative, political fashion, because you had a so-called friend, and you had to create the situation that would allow him to take action. In one sense we looked to Olson for a solution, in the other it also enervated us. Really it was that threat in the Kidwell letter,* and you can see from the other evidence--sending Leo [Huberman] to the national CIO convention, taking our risks with the AFL convention, the Marshall Foundation, whatever the hell that was--that we were moving in the direction of trying to overcome the immobility that was imposed by a so-called liberal administration. It was my first real experience with "liberality."

Stein: A disillusioning start.

*A letter from the defense committee to George Kidwell, Olson's Commissioner of Industrial Relations, and a long-time ally of the committee, written in September, 1941, detailing Olson's broken promises to free the men and asking for his intervention with the governor on the men's behalf. Two drafts of the letter are in the King-Ramsay-Conner case files in the ILWU Library, and are in the Appendix.



Johnson: Yes, it was. You saw yourself unnerved by constantly having to plan strategy in terms of not embarrassing the Olson administration, because that was your source of freedom for the men. And it's quite a different stance than it had been before.

Stein: Now you--

Johnson: But of course, the attorney general was Earl Warren.

Stein: You mentioned in one of your letters to Cora Robertson* that you went up to Sacramento right after the inauguration to the Tom Mooney hearing.

Johnson: Oh, indeed. Yes. It was the freedom of Tom Mooney. I don't know why I said hearing.

Stein: It was a hearing. I gather from the descriptions of it, that it was a sort of formal thing that Olson put on, that it was a foregone conclusion that he was going to pardon Mooney at the end of it, but that it was a hearing.

Johnson: The men knew Mooney in prison. So they were the ones that asked me to be deeply involved with the Mooney thing, so I had the privilege of attending the hearing and being part of the leading groups, you know. I remember being with Melvyn Douglas and Helen Gahagan Douglas and some of the other people that were up there, celebrities that were there, and it was quite an event that day. It was just immediately after his inauguration. And then coming down and marching up Market Street.

Stein: Yes. I've seen pictures of that parade.

Johnson: Quite a parade. [Warren] Billings didn't come out.

Stein: No, because he had a prior conviction.

Johnson: Yes, but in the last analysis it was Billings who was helpful to me, especially in the AFL thing. Mooney was an ass.

Stein: [Laughter] How so?

*Earl King's sister, who lived in Vancouver, Canada.

Johnson: He was an awful ass. I had to spend a lot of time with Mooney because the men insisted. I got so involved with prisoners. I was so involved, I was so much at the beck and call of those guys that every other day I'd be handling a request from King or Ramsay to get somebody out of prison, and I was running a goddamned employment service for prisoners. It was a constant stream. I would have to pester the unions to get guys jobs.

But with Mooney, he became ill not long afterwards and he was in the hospital, and I was constantly getting pressure from King and Ramsay, King particularly, to visit Tom and to see Tom. I think they rather hoped that Tom would be a real help to them. He was not. He was too ill, and he was too nutty and he was too egocentric.

Not so Warren [Billings]. Warren, it seemed to me, was much less damaged by the years in prison than Tom. Mooney, it seemed to me, was really a nut when he came out. A real nothing--a destroyed man.

Stein: That's interesting. There's been an academic study of the Mooney case, and that's pretty much the conclusion that that author comes to, that Mooney was pretty much destroyed by the time he came out and the few years that he was alive were just downhill.

Johnson: Downhill, ill and dull and impossible to spend time with, and totally self-centered. He was just placed in this international position and he was totally unfit for it.

But Billings was another story. Billings was a viable man. He was still alive, he was alert, he became active in the trade union movement. He was a guy to deal with. He'd learned, he'd grown in prison, but not Mooney.

Stein: How was Billings a help to you in the AFL thing.

Johnson: Billings was one of the main guys, along with Jack Shelley, along with Wendell Phillips, but mainly Billings in getting that resolution passed. He appeared before the resolution committee, helping me lobby, getting that damned resolution passed.

Stein: That was the 1941 State Federation of Labor convention. Getting back to the hearing in Sacramento, I think you mentioned in that

Stein: letter that you took that opportunity to spend some time visiting legislators and--

Johnson: Trade union people. Yes. I was a very busy lady for those two days up there, or whatever it was. Or one day. I worked every minute. I was there for King, Ramsay, and Conner and I didn't let anything pass, I didn't let a person pass.

Friends in Government

Stein: Who were some of the significant people in the state administration at that point who you could count on? There was Kidwell and Shelley.*

Johnson: Kidwell was the main guy. Shelley--it seems to me that I made my first contact with Shelley then. Shelley became significant again at the AFL convention. Shelley was significant also in some of the preliminary meetings that we had, preparatory to going to the AFL. I always kept contact with a coterie of AFL guys that I dealt with and Shelley was one of them. But that was subsequent to 1939. It seems to me that Shelley wasn't in the picture before then. I don't remember him in the picture before then. Oh yes I did. He was with the bakery wagon drivers when he was in the union, before he became a state senator.

[M. Stanley] Mosk was the governor's secretary, and he was a very nice guy. He was as helpful as he dared be. He really was a very nice guy. I liked him a lot. I always felt that he extended himself in every way to arrange appointments with the governor, to see that the governor had the written material, that he reviewed it. He was a very, very helpful man. I don't know what his position on the case was but I always regarded him as our friend. And I can't tell you why. Maybe manner, maybe in the friendliness, maybe in the fact that he got appointments for us.

*Jack Shelley, like Kidwell a labor leader from the Bay Area, was serving a term in the state senate.

Stein: That becomes clear in the correspondence.*

Johnson: Really?

Stein: Yes. The correspondence is filled with letters from him to Herbert Resner, saying such things as, "Your appointment with the governor on Tuesday, February 13, is all set up." And the next letter would say, "The governor was terribly sorry that he couldn't meet with you before he left for the east, but he wanted to assure you that he's midway through volume five of the trial transcript."

Johnson: I regarded Mosk as our friend, as our guy. I don't know if that means anything except that he facilitated, he made it possible, he was helpful, he was responsive.

Stein: It seems to me that's extraordinarily important in the position that you were in. Because if there had been someone who was not helpful in that position you never could have gotten to the governor.

Johnson: Yes. That's right. Even though I now know what the range of possibilities was and I couldn't assess Mosk as a special guy, I did however know that I didn't regard the governor's office as an enemy territory because of Mosk.

It seems to me that there were a series of appointments on two boards. One was the pardon advisory board and the other was the parole board.

Stein: That's right.

Johnson: And we were constantly watching appointments or trying influence appointments on either.

Changes at San Quentin

Stein: Fairly quickly Olson appointed John G. Clark to the advisory pardon board and also appointed him director of the Department of Penology and--

*See the King-Ramsay-Conner case papers in the Gladstein, Leonard, Patsey, and Andersen collection in The Bancroft Library.

Johnson: When did Warden [Clinton] Duffy [at San Quentin] go in?

Stein: Warden Duffy came in in '39, I think.

Johnson: You'll understand that when I became head of the committee it was during or immediately following a hunger strike in San Quentin. The warden then was Court Smith. He was a hated man and the prison was a hellhole. There was a hunger strike and King and Ramsay and Conner were accused of leading it, as Reds. They hadn't done any such thing, they were too stunned by their incarceration.

But I learned a lot and got a lot of exposure to changing prison conditions, every little inch of the way. For example, when they first went in they were not allowed newspapers, there was no radio, there was no--nothing. The eating was in long lines with tin plates and stuff like that. And each step of the way of change, when they were allowed some newspapers--they were not California papers but it was outside papers--I was terribly involved in each step of the way because each gain was very, very important to a man in prison. You know, reading material, changing the eating, changing the food, changing from the gallows to the--you know.

Stein: To the gas chamber.

Johnson: I had a terrible business about Fridays, about going to San Quentin on Fridays.

Stein: That was execution day.

Johnson: Execution day, and a dreadful pall fell on the place. I told you I was the first woman to sit in the gas chamber, didn't I?

Stein: Yes.

Johnson: A dreadful thing. But that to me was important. Seen through the eyes of my dealings with them, it was an important insight. When Duffy became the warden, there was a whole change of atmosphere in the prison--the fact that he could walk through the yard, the fact that I was no longer regarded as an enemy. He extended himself on our behalf, on my behalf. He allowed me lawyer's privileges.

Stein: I was going to ask you how you got that.

Johnson: It kind of evolved. I was there so often.

Stein: Could you tell me the story again of your visit to the gas chamber?

Johnson: It was when the gallows were destroyed. Of course, I knew everybody so well by this time--the captain of the guard and the others--we were all friendly, you see.

On this occasion they had just completed the gas chamber and some wise guy, the captain of the guard or somebody, said, "Would you like to see it?" After lunch they escorted me down that elevator, walking the steps, and into that thing, and strapped me in. They worked the mechanism. Of course they didn't have any cyanide, but they worked the mechanism.

It was a trauma. I didn't realize it was a trauma then, but forever after I can't see an item on execution without reliving that, remembering out of the corner of my right eye the guy's hand going up and pulling a lever. There was a little pot, a little spoon-like thing, that would tilt, which would have contained the pellet, and tilted it into the acid. I was strapped across here, and here. The shape of it in the windows, and the sensation, and the elevator, and the whole thing was just so vivid in my mind that I couldn't--

That's a child for you, the foolishness of a youngster who thought this was a great marvelous gag. Fun, great fun, you see. Too stupid to be horrified as I should have been. But I joined their fun, and they laughed immensely about my being the first woman in the state of California to sit in the gas chamber. Isn't that something?

Duffy was decent to all the men, all the prisoners. He was particularly decent to King, Ramsay and Conner. The jobs they had were good, the jobs that Ramsay and King both had were good jobs. Ramsay was in the fire department, at one point; King slept outside the prison. The treatment of me was much kinder.

I think actually, it wasn't just Duffy. It was just attrition, honey. I was there so much and I was a pretty young girl. How could they keep the captain from being nice to me or the commissary staff from making special ice cream when they knew I was coming? And they did.

Stein: And they did?

Johnson: Oh, they damned well did. That whole prison became home. It was like a second home to me. In fact, if I bought a new blouse everyone in prison knew about it. By the time I walked up to that front gate the whole goddamn prison knew it--I had a new blouse, I looked different, or I cut my hair differently or something. Everyone noticed. It was very strange how those things are, and I was pretty and young.

Pardon Application, 1939

Stein: If we could just back up a moment to Clark, I believe you met with him shortly after he was appointed.

Johnson: We met with a number of different new appointments. Now, if my memory of Clark is right, we went to his home, in Berkeley, if I have the right man.

Stein: I don't know. Anyway, go on.

Johnson: A delegation of us went to his home. That's my memory. I could have the wrong--since there were a series of different appointments. That's my memory. [Pause]

You have a question here [in the interview outline] about what caused interest in a pardon application to generate in mid-1939. I have no memory that did. Tell me about it.

Stein: It did. A pardon application was filed in October, 1939.

Johnson: Was that immediately following--

Stein: It was immediately following the Bridges hearing and--

Johnson: What was its relationship to the end of the legal processes, normal legal processes?

Stein: Well, I gather that at that point it was legally and technically possible for the men to file both parole applications and pardon applications, because they went to two different places.

Johnson: That's why we were involved with that advisory pardon board.

Stein: That's right.

Johnson: I couldn't understand why we ever got involved. I mean I didn't remember.

Stein: The picture which I pieced together, which may be totally wrong, is that the parole board by that time had postponed the case a number of times and John G. Clark wrote the defense committee and indicated that he wanted more time to study the case but he also was recommending the case to the governor for a pardon, because he thought it was more appropriate for executive clemency than for parole board action.

Johnson: Why?

Stein: I don't know. That was all that was in the notes that I read.

Johnson: They were just tossing that hot potato back and forth. And the real threat was Warren.

Stein: So that's what was happening.

Johnson: That's what was happening, and now I understand it better than I ever did. It was the governor, or the parole board, or the advisory board--

Stein: Nobody wanted to make a decision.

Johnson: Nobody wanted to make a decision. [With emotion] That's why we were being driven out of our minds, and that's why Earl and the others were nearly driven out of their minds, because they had their hopes up and down, up and down. They were constantly appearing [before the parole board], you know. But that's what was really happening. It was a hot potato, they knew it, and they were just shoving it from one to the other.

And I think the reason it was a hot potato was not because there was that much interest in the case, but Warren was there. The anti-communist thing was very strong and Warren was there. Warren had a stake in keeping the men in prison, and he was in a powerful position in the state. That was it.

Stein: That helps explain it.

Johnson: It had nothing to do with the merits of the case. It was a political game. And we kept fighting it on the merits of the case.

Stein: One of the other points that was made at that point is that King and Ramsay had just testified a couple of months earlier at the Bridges hearing,* and that Olson might have been impressed by that testimony and therefore might be more interested in taking some kind of action.

But what happened in October of '39 was that the press got hold of the fact that the pardon application had been filed and for some reason or another the San Francisco Call Bulletin ran huge headlines that Olson was about to grant a pardon to King and Ramsay. Do you remember that?

Johnson: I remember being terrified by it. I remember knowing that it wouldn't happen.

Stein: That was a result of--

Johnson: That was a result of filing the application.

Stein: That's the only thing that I can think of, and I don't know where that rumor came from because Olson publicly denied it and Mosk came out with a statement that the applications would be considered in their proper order behind the hundreds that had been filed before them, that the governor wasn't about to take any kind of imminent action. But this rumor persisted for a couple of days in the newspaper that Olson was considering pardoning them.

Johnson: It was the first time I heard the term "a trial balloon." It was a deliberate leak, to test the political climate. It was a deliberate trial balloon on Olson's part.

Stein: I see.

Johnson: A leaked trial balloon. And I remember being horrified by it. That's what it was. It was a trial balloon, and who told us about it? I wish I could reconstruct it. The whole incident appalled me. That's all. My memory is one of being appalled, that it would delay action, it would delay any action, and that

*King and Ramsay testified that they had been approached by an agent of the shipowners and promised their freedom in return for signing affidavits that Bridges was a communist. They had refused. In testifying the men risked incurring the wrath of conservative parole officials.

Johnson: it was done for that purpose, it was deliberately put out for that purpose, to be able to make a public statement, to get out of the situation, to push it away.

Stein: That's interesting because the reaction in the press was that--

Johnson: To organize the opposition is what it would do. And that's what it did.

Stein: The press reacted that it was Olson appeasing Bridges and that he was awarding King and Ramsay a prize for their testimony at Bridges's hearing. Now, an interesting sidelight to this is that the press made a big point of emphasizing that it was only King and Ramsay he was going to pardon, not Conner. And that this--

Johnson: Because of the confession.

Stein: Well no, it didn't say why, except that King and Ramsay had testified at the Bridges hearing and Conner hadn't. An interesting sidelight to that is that when I interviewed Lee Coe,* several months ago, he told me a story which he told me to verify with you that at one point in the case there was an attempt to separate Conner from King and Ramsay, to turn Conner against the other two, and my only guess is that this must be the occasion.

Coe remembers that you wrote him a letter. By that time he was editing a CIO paper up in the Pacific Northwest, up in Oregon. You wrote him a letter, because he was a newspaper man, and asked him if he could write an article about Conner in his newspaper to indicate to Conner that he wasn't forgotten, even though it looked like he was being completely forgotten, in order to keep the three of them together, to prevent Conner from being turned against King and Ramsay. Do you remember that?

Johnson: Yes, I do. I remember a bad, bad period in Quentin, and King and Ramsay felt that this was a real threat to the case. Conner wouldn't come out and talk with me, Conner had a breakdown, Conner--

*He was at one time publicity director for the defense committee.

Stein: As a result of that?

Johnson: Well, he was periodically breaking down. You know about Dr. Tuckler and the psychiatrist thing, don't you?

Stein: Who?

Johnson: Tuckler was an intern psychiatrist at San Quentin. At the time of the release Conner was insane, and Tuckler cleared him in order to get him out of prison. He falsified and said he was in condition to leave and he wasn't. We had to get him right to the hospital then.

But signs of the breakdown were occurring much earlier and that was one of the bad times. He got very paranoid and accusatory to the two men, that they were dumping him. I can't associate it with that headline, that isn't making an association in my head.

It was a terrible period for all of us, for the two men and Conner. The confession had always been a fly in the ointment. King and Ramsay had always regarded Conner as a drag on them. He was a terrible drag on them in prison and in decision making and in everything. And Conner knew it. They overrode him repeatedly when I would see the three of them together. They ignored him a lot and he was to be ignored.

But I remember seeing the two of them, and it got to be a whole business of who I should see, because if I saw one without the other, you know--because it was a tricky business when that threat was there. I remember King and Ramsay arriving at the conclusion that there was no way to separate Conner from them and they had to hang together, they had to stick together and had to take whatever was necessary. And I remember making special trips just to see Conner alone, to steady him, and to take whatever action. But I don't remember it as associated with those headlines. It may very well be.

Stein: Were your efforts ultimately successful in calming Conner?

Johnson: Yes. Yes. Except towards the end, he was really broken, really ill. He told me all kinds of fantastic things--that they brought women to his cell, that he functioned as a stud--and it was just clear that he was out of his head and delusional.

Johnson: The incident of the headlines--and I remember then, I remember now, the innocence of the committee (we had not instigated or initiated anything), and of the men in prison, the sense that I now recognize of being manipulated, that things were happening that we had nothing to do with. The mere filing of the application for pardon, along with the application for parole, generated all of that and we didn't have anything to do with it. It just came upon us.

Someone in state government--I don't know if it was Shelley, or Kidwell, or somebody in state government--told us that it was a trial balloon, that it was leaked by the governor himself or his subordinates, and that it was really an effort to get off the hook. If there was a lot of support, and if there wasn't any violent reaction against it, he would act. It was a trial balloon. But I remember we, and King and Ramsay in prison, knew that it meant disaster for them, further delays.

The Harry Bridges Deportation Hearing, 1939

Stein: That's interesting. To back up just a second, we skipped over the Harry Bridges deportation hearing itself. I wondered if you wanted to comment on that at all.

Johnson: Well except for, I'm sure you've heard of the drama of it, King's demeanor and Earl King's brother coming down.* I thought that it was a significant, terribly important break in the case. I remember feeling then, as I felt many, many times during that case, both in terms of the working of the La Follette Committee and in terms of the evidence that emerged in the Bridges case, an incident like the headline, that forces were involved that I couldn't see. There was vast manipulation that went beyond anything that I had any control over, or that was evident in the transcript of the trial, or that was evident in the official

*Earl's brother, Garfield, was an attorney in Vancouver, British Columbia. He testified at the deportation hearings that he had been approached by immigration officials who asked him to persuade Earl to sign an affidavit against Bridges. Garfield refused.

Johnson: record of the trial. There was all kinds of maneuvering and stuff. You know I attended the Angel Island hearing.

Stein: I was just going to ask if you did.

Johnson: Yes. I attended every day. I had one of the official permits, issued by [Dean] Landis. As a matter of fact I drove Harry Bridges every day, because he lived a half a block, a block away from us, and he was very ill during that period with ulcers. The doctor had given him a special diet, and so he came to eat with my husband and me every morning and then he drove me to the landing where we took the ferry.

The emergence of some of that testimony, especially the labor spies that were involved, was very important to me. I remember taking time, running to San Quentin reporting about this stuff, and then of course King had told me about the offer to him before we went to San Quentin, before the hearing.

I regarded it, if you want a personal reaction-- Listen. Driving to San Quentin came the announcement of the Soviet pact with Germany, either the Soviet pact with Germany or the Finnish war, something very anti-Soviet, something that would generate a lot of bad feeling, and I remember feeling that that was negative to our case, if you know what I mean, whatever it was. I thought that, for me personally, sitting in the court room, I mean in the makeshift room in San Quentin,* and listening to the newspapers, to the newspaper people, and to the others that were listening, that it was the first time that there was strongly positive effect, impact, that King had a very, very positive impact, the tears** and the courageous and principled stance of the man and his position, his helplessness, in Quentin. My own feeling was very enhanced that we won a great deal of sympathy, that it was very good for our side. And I think that we did.

Stein: Yes. I think you did.

*The hearings moved from Angel Island to San Quentin in order to hear from King and Ramsay.

**As he concluded his testimony recalling that he had told the agent, "Well, I am about forty-five years of age. I have been to a lot of places, and done pretty near everything I wanted to do, had a good time, had good friends. Nobody can make me perjure myself," King broke down and sobbed audibly.

Johnson: He came off so dignified. The guys came off with such ethics.

Stein: I know that Dean Landis himself was very impressed.

Johnson: I remember weeping, because I felt for the first time that we transcended some isolation in that case. I think we put out the pamphlet shortly afterwards, didn't we?

Stein: "Punishment without Crime?" That came out in 1940, in the early months of 1940.

Johnson: And when was the Bridges hearing?

Stein: King testified in late August of '30.

Johnson: I remember that we regarded it as important enough to begin to write a new pamphlet, that we had to cash in on that publicity, which we thought was very good.

Stein: The pamphlet does a very good job of putting that all together.

Johnson: Now you asked me who wrote--I think Lee Coe had something to do with it, didn't he?

Stein: He said no, he wasn't even around. He wrote the early ones, the very first ones, but by that time he was up in the Pacific Northwest, I think.

Johnson: I know I did some writing, I know that--let's see. Who was it? Ruth Sutherland did the title and did all the graphics and did all the layout. I was involved in the writing, but there was a main writer and I can't remember who the hell it was. It wasn't Huberman because that was too early. Huberman wrote a later one.

Stein: Huberman wrote "Free These Three."

Johnson: Yes. I just don't remember. But my vague sense has to do with somebody who was on the paper, on the Maritime Federation paper.

Stein: It wasn't Estolv Ward?

Johnson: Yes it was Estolv Ward. He's the one who wrote it. Yes.

Stein: By the end of '39--we've already discussed this--John Gee Clark was conducting a major investigation of the prison system and

Stein: the Board of Prison Directors was under considerable fire for mismanaging prisons and they fought back by issuing those charges that Earl King had instigated the food riots of the previous March, and called on the Dies Committee* to investigate.

Johnson: That's such a lie. See--that's what you call "frame-up." He didn't have anything to do with that. But when was John Gee Clark appointed?

Stein: In January of '39.

Johnson: When were the riots?

Stein: In March.

Johnson: Of '39? I knew it wasn't too long after I became head of the committee. That was a real threatening situation, and they had nothing to do with it. They were so scared. It was ridiculous.

Parole and Pardon Applications, 1940

Stein: We'll move on to 1940. In February there was another delegation to Olson. According to the letter to Kidwell [reading from letter], "The governor promised a large labor delegation that arrangements had been made for the Parole Board to sentence the men to ten years with immediate parole. This action was to have taken place when the men again came before the board. The governor stated he would take action on the pardon application after their release."

Johnson: When was that?

Stein: That was in February of 1940. Do you remember that?

*Special House Committee for the Investigation of Un-American Activities.

Johnson: Oh sure. It was in Sacramento, a large delegation. Bridges headed it. We had a series of meetings before we went up to set out strategy, and Bridges failed to come to the meetings and then he damned near killed us by taking the wrong tack in the governor's meeting. Jesus! [Laughter] But I do remember, and the room was filled. It was quite a large delegation; it was rather a public meeting.

That's exactly what happened. [Pause] I remember it very well. There were red velvet chairs and I almost fell inside the velvet when Bridges was making the original opening statement. Rathborne* was there and everybody was there, and he [Bridges] got himself so tangled up--

Stein: You mean he was getting his facts wrong?

Johnson: Yes. And then he extricated himself. At any rate, that was the governor's response. We all felt very good afterwards. We felt that we had a commitment. We felt that it was as good a deal as we could make. Now you asked on here [referring to interview outline] if we had any feelings about parole, negative feelings about the idea of parole. No.

Stein: That question arose from something that was raised at a very early defense committee meeting in 1937, long before you were associated with it, in which one of the Modesto boys got up and argued for parole and his remarks implied to me that at some earlier time, like during the Mooney case for instance, parole had been a dirty word, that it implied an admission of guilt.

Johnson: I remember myself, not from this case, but from way back, that in no labor case should one accept parole or even consider parole, but it wasn't a factor in this case at all. I remember no discussion with King and Ramsay and Conner that had the slightest question about accepting parole. None at all. But you see, they really weren't Reds. They didn't have those traditions.

Stein: Well, obviously Governor Olson didn't keep his promise of February because in March, on the 25th, the parole board put the terms at twenty years, and denied parole.

*Mervyn Rathborne, secretary of the San Francisco Industrial Union Council--CIO.

Johnson: That's right. They set the sentence at twenty years, which meant they weren't eligible for parole until they had served seven years and something. Seven something served time. But that didn't preclude them coming before the parole board.

Stein: No they could come before the parole board again, for parole.

Johnson: What did they actually serve? They served '37--

Stein: Well, they were sentenced in '37, at the beginning of '37. So it was all of '37, '38, '39, '40 and '41. Five years.

Johnson: They served the full five years. Short of a month, they served the full five years, which is the equivalent of eight or ten.

Stein: What was the effect of the sentence on the men?

Johnson: Very, very bad. They also believed that (the governor's promise), it had been told to them, it had been reported to them. The effect of the sentence was just terrible. [Pause]

Stein: Now the football, or the hot potato, lands in the lap of the Pardon Board, which in mid-April, April 11, takes up the case again.

Johnson: Which year? '40?

Stein: April of '40. The Pardon Board takes up the case and they postpone action until April 29.

Johnson: Isn't that funny? It's not present here, in the Kidwell letter.

Stein: No, no it's not.

Johnson: Why? Well anyhow, in April they take it up and postpone action.

Stein: Until the end of the month. They take it up again; it comes up again on May 1. And on May 1--I want to ask you about this. The Pardon Board held hearings that were held in Lieutenant Governor Patterson's office because he was chairman of the board by virtue of being lieutenant governor. Now when the board convened on May 1, Earl Warren later, when he testified before the Tenney Commission, charged that there were so many people there that, for no apparent reason, the lieutenant governor switched the meeting from his tiny office to a large assembly room nearby. Do you remember that?

Johnson: Vaguely.

Stein: Warren later charged that the hearing was very unruly because there were so many communists at the meeting who kept up a continual hissing throughout the whole proceedings. That's what he told the Tenney Committee.

Johnson: Who were they hissing? Patterson?

Stein: No, they were hissing him [Warren] obviously.

Johnson: Did he appear?

Stein: He appeared. He was on the Advisory Pardon Board by virtue of being attorney general. But he was wearing two hats, because he was also prosecutor of the case. He gave the principal argument against a pardon, and that was when Patterson got up and delivered his statement, when he said that he felt that they were innocent and should be pardoned.

Johnson: I have a strange feeling that I wasn't present at that hearing, in Sacramento.

Stein: A newspaper quoted you as getting up and questioning Earl Warren on the propriety of his arguing before the Advisory Pardon Board when he was the one who had prosecuted the case in the first place.

Johnson: Me getting up in a public hearing? [Incredulous]

Stein: That's what a newspaper said.

Johnson: And what did he say?

Stein: He said that he didn't think there was anything wrong with that.

Johnson: I was going to say, sitting right here, how come he would do that but I'm totally blank on that. I'm blank on getting up, I'm blank on the hearing. I don't remember ever going to Sacramento for such a hearing. I'm completely blank.

Stein: Then you don't remember Ellis Patterson reading--

Johnson: I remember Ellis Patterson's support of the case, but I can't relate it into a hearing that I was present at.

Stein: Okay. This is the statement that he made at the hearing.
[Shows Mrs. Dinkin copy of statement by Ellis Patterson.*]

Johnson: Why is this all written over.

Stein: It must have been his draft.

Johnson: Good heavens. Where did you get it?

Stein: Well, I got it--it's in the ILWU files, the case file.

Johnson: It looks very much like we wrote it for him. [Laughter]

Stein: That was what I was wondering. I was wondering what it was doing in the King-Ramsay-Conner file at the ILWU Library.

[Long pause]

Johnson: [Reading from Patterson statement.] "In summarizing, I say that from my long investigation of the case, I'm convinced that on Sunday, March 22, this murder took place and Sakovitz, who was never apprehended, held Alberts, the murdered man, while Wallace started to beat him and then took out a knife and murdered Alberts." Where did he get this?

Stein: He must have gotten that from you.

Johnson: You're damn right he got it from me. And I got it from Wallace. That's the first time I've seen a real description of what I remember Wallace said, this guy [Sakovitz] held him [Alberts] and he [Wallace] put the knife into him. That was the murder scene, and that's the only time I have seen it. Have you seen it anywhere else?

Stein: No.

Johnson: Well, it could only have come from Bridges and me, because we heard it, we heard with our very own ears. I just don't remember that hearing. Was it reported in the press?

Stein: The hearing itself was reported in the press, in the general press and the labor press.

*In the King-Ramsay-Conner case files, ILWU Library.

Johnson: Was it reported as being an unruly hearing?

Stein: No. No, all the press reports are that there was a large delegation headed by Harry Bridges and a lot of labor people in the audience. The only report that it was unruly is from Warren, when he testified to the Tenney Committee.

Johnson: Well I think I've lost my mind. I must have been present, especially when a newspaper said that I asked a question. I don't remember it. Have you any idea of the setting, was it here in San Francisco or in Sacramento.

Stein: That's a good question. I don't know. I don't know. I'll go back and check my notes and--

Johnson: If it was that important, how could I forget it? I would not-- are you sure I was present? I'm not sure I was present.

Stein: I'm not absolutely sure, because one press report was that a young woman in the trade union delegation raised this point. And it was another paper that said that it was you. I'll go back and check.

Johnson: Isn't that amazing? Date it for me again.

Stein: It was May 1, 1940.

Johnson: May 1, 1940. May 1--a month before the governor sent us a letter saying that the decision would be made in June, according to this Kidwell letter. Funny that nothing in here reflects-- this letter to Kidwell which was supposed to put things together-- reflects any of this Advisory Pardon Board hearing of Patterson--

Stein: You may have felt that there was really no hope with the Advisory Pardon Board, because its make-up certainly wasn't any cause for optimism, and Patterson was your only hope. The other members were the attorney general, the wardens of Folsom prison and San Quentin prison, and the director of the State Bureau of Criminal Identification and Investigation. [Long pause]

Johnson: [Reading from the Kidwell letter] "At the time of these broken promises, the committee was informed through devious means of the reason for delay. In 1939 the Bridges hearings were held and King and Ramsay testified that they were approached. We were then informed that release of the men, either by board

Johnson: action or executive clemency, would jeopardize the prestige of these parties, that action would be misinterpreted by the public." [Ends quote in questioning tone.]

I'll really have to read this more carefully. Incidentally, this starts by saying a list of union officials is attached, and it isn't attached.

Stein: It wasn't attached in the library files.

Johnson: I'd be terribly interested in seeing that list. It's just unfortunate that it's not there.

Stein: These obviously were copies that you retained in your files, and the list may only have accompanied the original.

Johnson: The list was not attached?

Stein: The list wasn't attached.

Johnson: Because it was preceded by a series of meetings. This decision is my own. The decision to write to Kidwell is my own decision. Just as the decision to go to the AFL was my own decision, a dangerous thing, no one would encourage me.

[Referring to Kidwell letter] In August of '41, another committee met with the governor. [Pause] Melnikow was involved in this. [Long pause] The governor said that no executive action would be taken until after the men were released by the Parole Board. Do you realize just how insane this was? I don't think I ever recognized just how insane it was.

Stein: Yes, one said they wouldn't act until after the other one acted. [Pause]

Johnson: It says here [in the Kidwell letter] that John Gee Clark, on record for parole, is scheduled to resign, for a judgeship.

Stein: Oh yes. That's something I forgot to mention. When the Parole Board sent the terms at twenty years, he voted against it.

Johnson: We had a commitment from him, I remember now. We had an absolute commitment for parole. And he did, it just never went through. It seemed to me, it seems to me now--it's a wonder we didn't all lose our minds--we were that close. Here's the

Johnson: lieutenant governor coming out with a statement. Here we had Clark on our side, the governor, presumably, on our side. Mosk, presumably on our side. And we couldn't get the men out. Just speaking politically, it was a maddening situation.

More on the Attorneys
(Interview 2, November 24, 1975)

Stein: You said a moment ago you wanted to correct what you said last week about Aubrey Grossman and the change of attorneys.

Johnson: I can't remember, I can't fill in the parts for you. For the appeal, all the attorneys were fired, Aubrey too. But Aubrey immediately came back on the case. I think that Aubrey was off the appeal only, because in one of the reports that I have here I say "the new attorneys for King, Ramsay and Conner are John Ehlen, Leo Friedman and--" who? I don't remember who, Resner or somebody. Now Aubrey, in my memory, was never disassociated with the case.

Stein: His name continues to appear on the briefs.

Johnson: He was never disassociated from the case. And it is my feeling and my vague memory that everyone felt, and King particularly, that for the appeal they needed a different set of attorneys but that Aubrey remained attached to the case.

Stein: So that's why they brought in these others.

Johnson: These others.

Stein: Olshausen and Ehlen and Lacey and--

Johnson: Well, at that point each of the three men had an attorney. Olshausen was hired by one of the attorneys to handle the brief. Ehlen was hired as an attorney for one of the men, and gotten rid of very quickly, by the way. But the attorney of the case that I dealt with all the way through and remember no break with is Aubrey. There was a clear break with Andersen; he never went back [on the case]. Herb [Resner] came on the case because of the Mooney case. Herb was head of the Mooney Committee and when Mooney came out [of prison] the pressure from Earl King was strong

Johnson: to get Resner on the case. He carried a lot of weight, he carried a lot of stature from the Mooney case, and King particularly wanted him when we filed for pardon.

Stein: I know that Grossman was active because in February of 1941 there was a pardon hearing in Governor Olson's office and Aubrey was there.

Johnson: Aubrey was there all the time. I don't understand that. I'll show you the document I'm referring to, which really puzzled me. I was quite startled by it. I think it's the '38 convention. [Refers to the Report to Maritime Federation Convention, June, 1938, King-Ramsay-Conner Defense Committee.*]

[Reading from report] "At present the staff of working attorneys consist of Leo Friedman for King, John Ehlen for Ramsay and Herbert Resner for Frank Conner. Previously George Andersen, Harris, and Grossman were connected with the case but because of the desires of the imprisoned men and due to some difficulties and misunderstandings the changes were made."

Now the difficulties and misunderstandings were never with Aubrey. They were with George Andersen. And maybe, I have a vague idea, that King was playing the game of saying, "Rather than get into trouble, let them all go, all who had been associated with the case, and hire a different set of attorneys," but really not let Aubrey go.

Stein: I was wondering about that because Aubrey at that point was in partnership with Andersen, wasn't he?

Johnson: Yes, but there was never any clash with Aubrey. They never wanted Aubrey out of the case. They never objected to him coming back into the case. So I think it was a maneuver so it would look unified.

Stein: Yes.

*In the Gladstein, Leonard, Patsey, and Andersen papers in The Bancroft Library.

New Directions

Johnson: [Referring to King-Ramsay-Conner Defense Committee papers.*] These are very good documents, by the way, because they're reports to the [defense] committee, to the district council, and other such things. You get a clear idea of what the dynamics were, what the thinking was and why certain decisions were made, and what we did about money and the whole immobilization of the committee when Olson became elected.

And also you had asked me, why did we--I don't know how carefully you read this material, but at one point we were very broke. It was '39. Nineteen thirty-nine was an active time, the period right after the Bridges hearing. I wrote in here, and I recall it very well, that I had a very strong sense that we had to get new evidence, that evidence was breaking all around us and if I got diverted into fund-raising I wouldn't be able to go after the jurors, go after Wallace, put together the pamphlet, or get somebody to write the pamphlet with the new evidence, and that my maneuver was to get the unions to support us with all that big money, like three hundred dollars a month or whatever it was.

Stein: That happened in 1939?

Johnson: In '39, yes. This revolved around--start watching the dates. It was all spurred by the Bridges hearing, plus quite a bit of encouragement from [M. Stanley] Mosk and Clark--

Stein: Clark?

Johnson: John Gee Clark. [Pause] But you asked about the jurors. We went after the jurors to try to put together some fresh view, especially following the fact that the [Julia] Vickerson

*In the Gladstein, Leonard, Patsey, and Anderson papers in The Bancroft Library.

Johnson: information was there.* We wanted to go back to the jurors to see if any of them would tell a different story, would reveal anything, would be influenced by the Bridges case or by information about Vickerson. It was generally unsuccessful.

Stein: I was just going to ask what your assessment was.

Johnson: I was stunned by the age of these people, and the kind of senility and the Elks Club kind of thing. They just had no sense of the trade union movement. It really was not a jury of their peers. I don't know why the defense ever agreed to that jury.

Stein: I think that they didn't have much choice.

Johnson: Yes, but it was pretty dreadful.

Stein: One of the big issues in the trial was the fact that the way they chose the venire list in 1936 was that the jury commissioner called up any organization that came to his fancy--

Johnson: Elks Club--

Stein: Elks Club, churches, business organizations, community organizations and ask them to recommend lists of names. He was asked specifically, "Did you call any trade unions or any labor organizations?" and he said, "No." That was his prerogative, and by the rules of that day there was nothing wrong with what he did.

Johnson: I'm surprised. You could get it thrown out for that now, couldn't you?

Stein: Absolutely. But that was why the defense attorneys really had

*In 1939 Julia Vickerson filed a creditor's claim for over \$15,000 against the estate of recently-deceased Charles Wehr, the assistant district attorney who had tried the King-Ramsay-Conner case in court. Mrs. Vickerson alleged that in the period between March 1937 and March 1939 she had advanced Wehr over \$15,000 in cash in unsecured loans, and that in 1935 (before the trial) she had loaned him an additional \$8500. None of the loans was repaid. Defense attorneys concluded from this and other evidence that an intimate relationship had existed between the two, and that Mrs. Vickerson had lied when examined as a prospective juror when she said she hardly knew Wehr.

Stein: nothing to work with. It was chance if a trade union member happened to get on to that list, because he was recommended by a church or something. And then, of course, he'd be very conservative.

Johnson: That's really remarkable. I didn't know that.

Stein: That was one of the issues that was taken up on appeal, and it was upheld all the way. All the judges said the jury commissioner was carrying out his instructions properly, that there was no intent to defraud or anything like that.

Johnson: There was no attempt to withhold a jury of peers. Did he call any Black organizations.

Stein: No. No Black organizations, no ethnic organizations, no labor organizations. Just churches and business houses and organizations like the Elks or the Masons.

Johnson: Incredible change of view of a whole society.

Stein: Were there any other things that you wanted to correct from last week?

Johnson: No. That was the main thing, Aubrey's role, which is a little puzzling. And you also asked me why there was nothing in the La Follette stuff. As I understand, reading my own material, and I think it was in a letter to Adrian [Coogan] or to somebody, I said the La Follette Committee left without completing their investigation and they're due back, and I recommended that we work with them. But they didn't come back. They never came back.

Stein: Do you know why they didn't come back?

Johnson: I have no idea. You see I had two huge problems, constantly, outside of the substantive kind of problems, but two huge problems: one was money, and the other was a functioning committee, an organizational base. I began to get a sense then, which I suppose grew through the years, that you can waste too much time on organizational matters like raising money and calling meetings pointlessly and having meetings pointlessly-- you know what I mean--when there was nothing to do.

Stein: You make that point in one of the documents. One of the reports of the defense committee to the Maritime Federation says that

Stein: there haven't been very many meetings because things are quiescent.

Johnson: Yes, and another point that I make about dunning the unions was that it's a very effective thing to do for turning people off if you are constantly dunning and dunning unions. But those were the two operational problems that were very serious and I really am a little startled at how imaginative I was at trying to solve them. Last week I was agreeably stunned at the young girl--reading through it I see that I was really very inadequate in many ways. I was, you know what I mean. I see the lack of sophistication and kind of sad and pathetic, long resolutions instead of pungent stuff and--well, I was a kid.

Stein: You were only eighteen. You didn't have much experience to bring to this.

Johnson: It was really remarkable.

The important thing to me about this whole thing, the way it was in those early days, is perceiving, unquestioningly, that the state, the press, the police department, the courts, the officials, the prison, all that was the enemy, and perceiving it clearly, and acting on that basis until 1939, until [Clinton] Duffy becomes the warden at San Quentin, Olson becomes the governor of the state, Mosk becomes the governor's secretary, the whole onslaught, not onslaught, but the whole shift into being part of the establishment, regarding them as your friends, the lieutenant governor makes statements on our behalf, the secretary, Stanley Mosk, is pushing us to-- And all the time we are enervated because we cannot--I read in a report here-- we cannot attack the governor for his failure to act.

They're tossing it back and forth, the governor to the Pardon Board to the Parole Board. Nobody wanted to handle it because it was a terribly hot potato. And all of them say they're going to do something for the guys, and we were helpless. If they were the enemy you'd know how to deal with them, but they're no longer the enemy.

And it's that critical turning point in the world. We saw it here and you could trace it all through the world, little elements of it, of a liberalizing of the establishment that created a whole new set of rules and ways of dealing with them that required finesse which we hadn't learned and losing sight of what you were headed for. I'm not bemoaning it. I'm just

Johnson: saying it was a terribly interesting turning point. I think it's like a mirror reflecting any one of a thousand situations like that, in France, in Italy--

Stein: Yes. I get the sense that you were having trouble knowing exactly how to proceed, and trying this and trying that, and never quite knowing what was going to work.

Johnson: Yes, but assuming it would. That was the trap. You can see in my earlier documents, when I report to the district council [of the Maritime Federation] saying everything is hopeful. The governor says this, and we've had meetings with the governor, we've had meetings with this, and everything is on our side. [With emphasis] It will happen. It will happen. The men in prison, the men in prison saying, "Our only hope is the election of the new governor." And the governor was elected in 1938 and the guys didn't get out until they served five full years, in the end of '41, a week before Pearl Harbor. They might have done just as well with a reactionary governor.

Actually, I'm not bemoaning--I think liberalism is important except that that governor was a disaster, to liberalism anyway.

Anyway, it's a very interesting point in history for me, in reviewing this stuff, to see the shift in my thinking and in the way I had to deal, the recommendations--for instance, that letter, that marvelous thing in there--I mean marvelous to me not in terms of brilliance, but marvelous in terms of how I was coping--saying, let's do it this way. Let's send these resolutions around to the unions. Not demanding anything, because we didn't want to offend Olson, just making him aware of the fact that there's trade union interest in this.

In the beginning before I came on the case, I noticed that the trade union support was massive [with great emphasis]. Every goddamn central council in the state supported the case. It was massive. It was alive. No question about it. And what puzzles me now--you asked me to review this--is why didn't I look back at that support and recapture it? Why did I start in such a frightened and fearful way on that AFL convention? Why didn't I tap back in on that early support?

Stein: That was a question I had.

Johnson: I don't understand it. We have this olympian view now, here were just thousands of unions supporting that case--

Stein: Well, it had been quiescent for several years. They had been very active right at the beginning, and by the time you took over there had been no reason to arouse their--

Johnson: Two years, a year and a half.

Stein: Two years, a year and a half. They had probably forgotten. New officers had come in. They didn't know what in the world was going on.

Johnson: Yes, but nevertheless why didn't I go back to old lists, somehow. I don't understand why I didn't. I really don't. I don't know whether we made the attempt and failed, or whether the whole communist issue got so hot--which it wasn't in '36, it lacked that intensity--we had to retreat.

Stein: That's interesting. The Red issue became more of an issue then.

Johnson: Became the issue, with Bridges, Dies,* stuff like that.

[Interruption]

Fascinating to read through this material, just fascinating. It's like looking at an old movie, in a sense. It isn't just the case but the whole question of how you approached raising money, how you approached moving people. What the symbols for support were.

Further Pressure on Governor Olson

Stein: Let's back up to 1940. After the Pardon Board made its decision in--

Johnson: What was the Pardon Board's decision?

Stein: They recommended against a pardon by a vote of four to one, and the one person dissenting was the lieutenant governor, Ellis Patterson. Voting for the recommendation against a pardon was Earl Warren, Court Smith, who was then--

*The Dies Committee conducted an investigation of communist infiltration into the West Coast maritime unions in late 1938.

Johnson: The ex-warden--

Stein: Warden of San Quentin, Clyde Plummer of Folsom.

Johnson: Warden of Folsom.

Stein: Yes, warden of Folsom, and someone by the name of Stone, C.F. Stone of the State Bureau of Criminal Identification and Investigation.

Johnson: What a board! Go ahead.

Stein: Well anyway, that was the recommendation they sent in. And then in early May 1940, the Maritime Federation called for one hour of work stoppage to protest the continued imprisonment of the three men. I wondered if you remembered that.

Johnson: Yes.

Stein: Is there anything significant to comment on that besides the fact that it happened?

Johnson: No. Did you see newspaper stories about it?

Stein: Yes.

Johnson: It was an effective one as I recall.

Stein: It sounded that way. It sounded as though ports up and down the whole West Coast were closed.

Johnson: Incredible that we had that much support. Do you realize that?

Stein: Yes.

Johnson: That was done primarily through the ILWU, or ILA I guess it was then.

Stein: Now it was ILWU.

Johnson: Was it already ILWU? I don't remember. And MFOW. I don't know how widespread the rest of the support was, but it was mostly the ILWU--closed it down for an hour. And then what?

Stein: And then in July, Governor Olson left the state to go to the Democratic National Convention in Chicago and Patterson became acting governor.

Johnson: We got this wild idea that we'd get Patterson to sign the pardon at that point. He was such a nut, he was such a stupid man.

Stein: Was he?

Johnson: Oh God. I thought he was anyway. He was a pain in the ass. I mean he really was. He nagged me; he bothered me. He made overtures to me. He was a bore. I thought he was an awfully dumb man, but then--[laughter] He hounded me.

Stein: About the case?

Johnson: No.

Stein: Or was he just after you?

Anyway, was it the committee's idea to pressure him to pardon King, Ramsay and Conner while Olson was out of the state?

Johnson: No. Not really. We had this notion, and it came from a lot of people. We never really pursued it avidly. That's not my memory. I think some guys on the waterfront got pretty hot on it. But I never felt that it was appropriate. I always thought it was back door and we'd get an awful reaction; we'd get the men out and they'd be stuck right back in. And the guys didn't want it. The guys [emphasized] felt it wouldn't hold up. Now what did you see on it?

Stein: The confusion in my mind was what the role of the defense committee was, because in the Kidwell letter the committee apologizes for that pressure and says that it was a spontaneous union pressure and it was not backed by the committee.

Johnson: Absolutely no. I didn't reread the Kidwell letter but that's my memory.

Stein: That the men felt that it was back-door and that wasn't how they wanted to get out of prison.

Johnson: [Excited tone of voice] I didn't reread that Kidwell letter. Did I say that? That's memory-- Isn't that funny? Okay. I didn't mean to stop you.

Stein: That they wanted to get out of prison legitimately, and that that seemed--

Johnson: Yes. They didn't want to go back-door. But that really didn't come from us. It really wasn't generated by us.

A lot of things weren't generated by us. Whatever there was to the [Paul] Yeremain thing, it sure as hell not only wasn't generated by us, but it hit us--totally blank--it was a complete mystery to me. A lot of things that revolved around attorneys, that revolved around the unions themselves bypassed us. We didn't know about it. I didn't know about it. I wasn't privy to it. I was exposed to it and then had to deal with the men. A few things were generated by the men themselves.

Stein: Like what?

Johnson: Well, like the change of attorneys and stuff like that.

Stein: Then in August 1940 you and Germain Bulcke had a conference with Governor Olson. That was the conference where, according to the Kidwell letter, he made two promises; that he would visit the men in prison--

Johnson: Which he did.

Stein: And that he would act shortly thereafter.

Johnson: Right.

Stein: Which he didn't.

Johnson: Which he didn't. That's the truth. He promised to visit the men in prison, which he did and got a lot of publicity on, and he promised to act and he didn't act. In a review of the promises, in a review of the moves, the pushing around from one to the other, it is apparent that it really was perceived as a real hot potato. And it was a particular characteristic of the liberal stance. They never aggressively said "We're going to free these men or were not going to. This is not a frame-up," or, at least "they've served all of the time they should." They just wouldn't act decisively. And they kept digging their own grave.

Olson's Reluctance to Act

Stein: What were they afraid of? What was Olson afraid of?

Johnson: Warren. I'm convinced he was afraid of Warren. He was afraid of Warren and he was afraid of losing further support. My memory of it, and it may be faulty, my memory is that he had come in with enormous support from the trade unions and the liberal elements and he spent his bank account of good feeling quite rapidly. There was a lot of bad feeling about Olson, as just an incompetent governor, as a guy who doesn't keep his promises, as a not very bright guy, as not an analytical guy, as a guy who was inadequate. And I think he feared (if he acted decisively against the men) uniting the feeling against him among the liberal and left groups, or the trade union group. He certainly was afraid of invoking the rage of the Warren supporters.

And he was politically right. He was on very tenuous ground. He was right. It is true that the case was very harmful to him, the freeing of the men. But you see, he had played games with the public.

I thought about this when Gerald Ford pardoned Nixon. He didn't play any games with it. Whatever storm there was came at that moment. But he did it.

Olson did the exact opposite. He kept dangling. He hit the papers over and over and over again. He visits the men. He says something positive--you know what I mean? He makes a promise. He makes a statement saying he's kindly disposed. He's dangling all the time, but at the same time building up the opposition. So it was just inept.

If anything, I thought of the King-Ramsay-Conner case when Ford acted. I thought, much as I despise what he did, but from a political point of view it is a hell of a lot better to do the act, and take the criticism but don't drag it out like Olson did. It's just really bad politics. It weakens everybody, infuriated us, and gave the opposition the opportunity to really build up steam against him on the King-Ramsay-Conner case. They kept hitting the papers with it.

He freed Mooney, of course. There was no current prosecutor. Why could he free Tom Mooney? The prosecutor wasn't alive. The

Johnson: people who had a stake in it weren't around any more. It was different with King, Ramsay and Conner.

Stein: Did that get worse as it approached 1942 and the election year, when he'd be up for re-election?

Johnson: I don't know that it got worse. My memory is that by mid-1941, he had very little support left from any sources. It's entirely possible that the freedom of the men was an attempt to win back support of at least one side of the spectrum, which of course by this time he wasn't going to do. It was too late for everybody.

Of course he was a very candidate defeated, you know. There was no way to support Olson or Olson. No one could really support Governor Olson. I don't know. My vantage point was the case and the trade union movement and in all truth, Mimi, I don't really know why. Maybe because he was the first break in the Republican control,* or was it because people expected the world from him and that people and liberals have also learned more than to expect really significant change in the change of a governor.

Stein: Yes. I think he came in on the coattails of the New Deal. People may have expected the miracles of Roosevelt.

Johnson: Well obviously they weren't going to be forthcoming.

Changes on the Parole Board

Stein: This brings us up to January of 1941 when he appoints Arch Lyons to the Parole Board, and it seemed to me that that was the one thing that Olson was consistently able to do, was to--

Johnson: Make some pretty good appointments.

Stein: To make some good appointments that affected the case.

Johnson: Well, as I recall, we were very ill disposed towards Lyons.

*Olson was the first Democratic governor to be elected in the 20th century.

Stein: Why was that?

Johnson: I don't know. Something about his background and if I could see it I would recall it. He was not identified with anything even mildly liberal, and we had no access to him, no one knew him. We were ill disposed towards Lyon. We were depressed by Lyons's appointment. It turned out that he's the guy that did the job, in the last analysis. His was the action that freed the men. Maybe it was general discouragement, but he meant nothing to us. As I recall there were quite a number of other names being bandied about that we were intrigued with, or expected more from, and Archie Lyons came from like left field.

Stein: He was from Modesto I think.

Johnson: Yes. That's another reason. He was from some small community. We just anticipated the worst, but we were wrong.

Stein: Do you remember meeting with him in January of '41 with Resner?

Johnson: Yes. I can't visualize him, but I remember that we had a meeting, and that I was even more ill disposed towards him after that. Ill disposed meaning being depressed by it. I think he spoke in platitudes. What do I say? I have no reference here.

Stein: I don't remember seeing anything in the documents.

Johnson: But you see, nothing could be said honestly any more. You couldn't really when it was all resting on one man, or one change, and the legal aspects were finished and gone. It was just a matter of getting them out on parole. The pardon aspects were gone. It was the only path left open, was parole. So you couldn't say much but I remember feeling very depressed by Lyons. He'd give his consideration and all this kind of stuff, and it was eleven months later before the men got out.

Stein: It took another appointment.

Johnson: Who was the other appointment?

Stein: Booth Goodman.

Johnson: Booth Goodman. Didn't we visit him in--

Stein: Yes, you visited him too. Booth Goodman replaced John Gee Clark.

Johnson: Yes, that's what scared us. We thought that would be the end. We didn't expect anything. But what do you mean? Clark? Where did Clark go?

Stein: Clark went to the superior court. He became a judge.

Johnson: Having successfully dodged the case for the whole time. All the time telling us that he supported it. That's the truth. He was the most outspoken supporter. His was the most clearly, "I'm your friend." But he sure wasn't going to be in jeopardy. I'm not particularly sure I blame him. He would never have been a judge, would he?

Stein: That's interesting. He was one of Olson's first appointments, so he'd been there ever since January of '39.

Did you know anything about Booth Goodman's background that would give you hope? Discouragement?

Johnson: I have a vague trace of a memory that Aubrey, or Herb, or one of the attorneys, had known something about him and that he was more hopeful than we thought of Archie Lyons. Why we thought Archie Lyons was so nothing--but Booth Goodman somehow strikes a different note in me. What was his job, what was his profession?

Stein: Booth Goodman? I don't know. I don't know anything about him.

Johnson: I have a trace of a memory that someone, or some group, had had some dealing with him because you know--unlike now, with appointments you can trace the person. Appointments come from somebody who's been active in the NAACP, somebody who's been active in the Urban League, somebody who's been active in this or that organization. But then they were unknown quantities--Both Goodman. Who ever heard of a Booth Goodman or Archie Lyons? And then we were so scared. I never did really know what the composition of that board was that let them out. And yet, it seems to me that we expected it. We really knew that it was going to happen. Why did I know it was going to happen? Do you know?

Stein: No I don't, especially with what you've just said about the men on the--

Johnson: No, no. The beginning, when they first appointed. Reaction when they first appointed. But I don't know why it seems to me--Was it because of something we got from Kidwell? Some response, some telephone response from Kidwell, response to that letter.

Stein: If there is, it is unrecorded.

Johnson: Yes, it would have been unrecorded. But we got a response from Kidwell, you may be sure. There were some meetings with Kidwell and we got some assurances that there would be action.

Stein: Technically speaking, how could he give assurances? Did he have some kind of influence, or did the governor have some kind of influence with the parole board?

Johnson: We always assumed that the decision of the board to keep postponing and to not act on the case was a political one and not based on anything else. We just assumed it. But then it was a politically hot case and therefore the governor, and no one else, determined what would happen with that case.

Stein: I see.

Johnson: That's what we determined. That's what we felt. You know, he had already dabbled with it, he made a public appearance before them in San Quentin, he had expressed public interest in the case, and no board with his appointees was going to act without his approval or knowledge. It isn't like the Supreme Court or a judicial group which technically disassociates-- After all, it is a board that acts at the discretion of the governor; they're not lifetime members. And so we always made the assumption that the governor--

It wasn't the absolute will of the governor, that's why it was so important who was appointed, because if they were stronger men then they would have taken the governor off the hook and freed them. If they were weaker men, they wouldn't. So it mattered who was appointed. We didn't think there was a one-to-one relationship, that is, that the governor would appoint you only if you would vote for parole. I think things were more complex than that.

Stein: Would it also be accurate to say that in a sense having the Parole Board parole them took a little bit of the heat off Olson, even if it was blamed on him, because it was his men who did it.

Johnson: Oh, unquestionably. It was not an executive action. Everyone assumed it was the governor's action. Even those three men who met me on the street and said, "There's the lady who defeated Governor Olson," assumed that the governor, everybody assumed that Governor Olson would instruct the board what to do.

Johnson: And that's why he was such a bloody fool. He dragged it out and dragged it out instead of taking a stand himself and doing something about it, taking the heat early in his administration. It would have been forgotten by the time the end came. Early in his administration, much earlier. That was one of the arguments we made to him. Sure there's heat on it. Do it quickly. Don't wait until the elections come.

And he did it all wrong. Talk about ineptitude. He identified with the case, he dragged it out, he let someone else take the heat on it, he did it right before he was up for re-election. He got no credits and he got all low points, all bad points. He didn't collect anything on it.

And he deserved it, because he didn't do a brave and fine thing. Ford did the brave thing about Nixon. I could have killed him for it, but he did a brave thing, whatever the deal was. He made a decision whatever it was, whatever the deal was. But he acted and he took the heat and he didn't lay it on anyone else. That's a brave thing, that's a political act that takes some bravery. You don't know exactly how it's going to go but you take your risks. But he did it early, quick.

Stein: And now everybody's forgotten pretty much about it.

Johnson: It doesn't generate much heat. A political issue is only when it happens the day before, and not five years ago.

Pardon Hearing, February, 1941

Stein: Well, I guess a further example of Olson's shilly-shallying around was in early 1941. In February he held a pardon hearing in Sacramento to which he called Earl Warren and Ralph Hoyt from the DA's office and Resner and Grossman and Olshausen from the defense to hear both sides. Do you remember that at all?

Johnson: Yes. I remember a number of visits to Sacramento. I remember being somewhat appalled at Olshausen's presentation. He was ineffective, verbally. He was an ineffective man, a very strange man physically and verbally. I do remember that. I remember very little about it except that. But prod me and I will.

Stein: I don't really have too many questions about it. Just this week I read the hearing; there's a copy of the transcript of the hearing in The Bancroft Library.* But I just wondered if there was anything special about it that you--

Johnson: Who was present besides Olson, do you remember?

Stein: That's all. Just Olson, and the defense attorneys and the prosecuting attorneys. He called the conference. He did it with what was supposed to be the utmost secrecy, which of course was leaked to the press, and he called the attorneys together in an attempt, he said, to hear both sides dispassionately, and give each side a chance to answer the other.

Johnson: What an ass! He was an absolute ass. He really was. He really was a foolish man.

Stein: My impression of the hearing is that it didn't settle anything, that all it did was just--

Johnson: Everybody took their positions.

Stein: Everybody took their positions, and tempers got very heated, and Olson kept having to say, "Now everybody just sit quietly. This is supposed to be a quiet discussion."

Johnson: [Very excitedly] But what a stupid thing to do! You're discussing-- What are you talking about? Are you going to retry the case? Are you going to reconcile them? What are you going to do? You know, this man [Warren] made his reputation on prosecuting these guys and talking about bodies in the Bay. These two guys [Grossman and Resner] were labor lawyers talking about their clients who were sitting in San Quentin. What the hell kind of stupid thing-- You have a conference and detente? What are you going to detente about? You're in direct conflict. There's nothing to compromise on. What a stupid thing to do!

Stein: Olson does not come off looking very bright. He presumably had, by that time, read the transcript and was familiar with the material.

Johnson: Mosk had read the transcript and prepared the material for him.

Stein: Olson made statements like, "Well, from the transcript it would appear that this is the way things happened." And then Warren

*In the Gladstein, Leonard, Patsey, and Andersen papers.

Stein: would break in and say, "No, no Governor. That isn't really the way things happened. This is the way things happened." And Olson would say, "Oh! Is that how it happened. Well, that does change the story doesn't it?" And a little while later he would say, "Well now let's hear from you," to the defense counsel, and the defense counsel would provide a different explanation and he'd say, "Well now, that's a point of view too." [Short pause]

Johnson: Oh, he was a real fool. I don't know whether I should say that. Nobody knew how to deal with Warren.

Stein: Olson ends up the pardon hearing by saying he didn't think that the case was a labor frame-up, that he did think the men were guilty of a conspiracy but that it was a conspiracy to beat up the chief engineer and that they had no intention of killing him, and that given those facts the men had served an adequate amount of time in prison, since they did not have the intent to kill, and that in the trial itself there were serious weaknesses in the testimony, one of the most serious being the testimony of [Albert M.] Murphy, who Olson seemed to feel was equally as guilty as King, Ramsay and Conner. That was a position that he repeated a number of times during that year, that there had been no frame-up but that the men had served an adequate time. [Pause]

Johnson: That was really an effort to reconcile all views, wasn't it? To not enrage Warren and to have the support of the unions is what it appeared like. But he messes up both sides, that's what was so bad. From a political point of view he was a real fool. Bad, bad fool. He really messed up both sides. He could have taken a position saying that it was not a frame-up, the men are guilty, and I don't intend to do anything or to interfere in any way. He could have said that and what could we have done then? Except constantly kept the pressure on him, and it wouldn't really have meant much. Maybe.

The Mooney case eventually meant a lot, didn't it?

Stein: Yes.

Johnson: And I assure you that as long as I had been head of that committee it would have built up, would have gone on. We wouldn't have let it die.

And I don't think the unions would have let it die. There was too much support, there was too much threat to trade unionism, too much business of the trade union leader being held accountable

Johnson: for the actions of the members. Too much fear of that--sit around talking, saying "We ought to dump the son-of-a-bitch," and then the trade union leader is accountable for it. That was scary to too many union guys, union officials. You didn't have a mafia, or a James Hoffa situation. It was a couple of guys sitting around saying we really ought to dump that son-of-a-bitch. At worst, that's what it was. [Pause]

The Paul Yeremain Affair

Stein: I have a question about the Paul Yeremain matter.

Johnson: Boy, that one hit me like--I never discovered, and I talked to Melnikow, I never discovered the truth about that. I don't know it to this day. I know nothing about it. I suspected, but I know nothing about that. It was something so outside the purview of the committee that it was ridiculous. And neither did the men know anything about it.

Stein: What were your suspicions?

Johnson: Well, there were rich liberals around and I knew Melnikow. These were very, very important people. I just really didn't know. I never knew the facts of the thing. The men didn't know anything about it. Nobody knew a goddamn thing about that. I still don't know what happened. But I know at the time when it happened, it was something we had no involvement with. Who had ten thousand dollars? It was just insane. What were the facts in that thing? Who made the charge?

Stein: Arch Lyons made the charge that Yeremain approached him and offered him a ten thousand dollar bribe to vote for parole for King, Ramsay and Conner. The charge was that Yeremain came to see him, acting at the suggestion of Melnikow, who had approached Yeremain saying that no one in the labor movement knew Lyons in order to approach him directly, but that they did know Yeremain, who was a friend of Lyons, and could Yeremain sound out Lyons and see what his view was on the labor movement generally, and on the King-Ramsay-Conner case specifically. Yeremain denied that he ever said anything to Lyons about money. He may have made a vague reference that Melnikow said something to him about how the trade unions had a lot of money, or that they could assess the members, but he certainly never made a direct statement that there would be "x" amount of dollars in it for Lyons himself.

Johnson: And you mean that that fool Lyons, that man Lyons, jeopardized his friend Yeremain? And brought charges?

Stein: Yes. Also, the charges were not brought until about six months after the event, and Lyons said, as an explanation for that, that he had been ill for a while and then he had discussed the situation with John Gee Clark and they had both decided to approach Olson to see what he had to say. It was unclear what Olson said. If Olson said anything that was never revealed. But Lyons went ahead and brought charges. Yeremain was brought to trial and the trial didn't occur until the end of October of 1941, and a San Francisco superior court jury acquitted him.

Johnson: Acquitted him.

Stein: Yes. What Lyons had done was that Yeremain had approached him and they had had one meeting in a hotel room, at which time Yeremain was alleged to have made this offer, and Lyons was so upset that he arranged for another meeting, and arranged that John Gee Clark would be there, and tried to get Yeremain to say the same thing. But Yeremain wouldn't say anything in front of Clark.

So Lyons then arranged a further meeting at his home in Modesto, and arranged for a stenographer to be hidden behind some curtains, to take down in shorthand, verbatim, the conversation between himself (Lyons) and Yeremain. Lyons then tried to lead Yeremain into a conversation and bring up the question of the bribe again, and this lady sat behind this curtain and took it all down, presumably.

The statement that she took down was offered in court, and actually the statement supported Yeremain because he kept denying right and left that he had ever said anything about money. Yeremain was put on the stand and his attorney insisted that he testify without his false teeth because, according to Yeremain, when he had had the conversation with Lyons in Lyons's home, when the stenographer was taking it all down, he also had not had his false teeth, and the--

Johnson: Oh my God!

Stein: What this was supposed to prove was that the stenographer couldn't possibly have gotten down the conversation accurately because she couldn't have understood what he was saying without his false teeth in. It was a very good ploy, because the jury didn't understand a thing that Yeremain was saying without his false teeth in either.

Johnson: [Whispering] I do remember a false teeth business, yes.

Stein: So the jury disbelieved the stenographer, threw out her testimony, and acquitted Yeremain.

Johnson: And they didn't speak ill for Archie Lyons?

Stein: No. There doesn't seem to be any public reaction against Archie Lyons.

Johnson: Public or not, but you know--

Stein: Except at the trial, Yeremain on the stand accused Lyons of bringing up the question of money, which may have just been paying him back. Figuring his friend had done him a dirty deed, he'd just sling some mud in the other direction.

Johnson: And then two months later they paroled King, Ramsay and Conner?

Stein: Yes.

Johnson: The same Archie Lyons?

Stein: Yes.

Johnson: That's incredible.

Stein: In fact, it's less time than that. Yeremain was acquitted in the second week of November, and the parole was the last week of November.

Johnson: That's ridiculous. This is a very strange case. [Laughter]

Stein: It is.

The Appeal to the California State Federation of Labor

Stein: This brings us up to what I think is a fairly crucial story in this whole affair, which was your decision to go to the state federation of labor. And I think it's important to get that down on tape.

Johnson: I looked here, and don't find a copy of the minutes.

Stein: No, I couldn't find them either in my own notes.

Johnson: The meeting was in a building off Market, not [in the defense committee offices] on Second Street. We had rented a room specially for it so we'd have enough room.

Stein: Who was at this meeting?

Johnson: It was one of the largest committee meetings we had, with all of the AFL trade unionists. The state federation was scheduled to have their state convention here. The defense committee meeting was part of the follow-up to the Kidwell letter, part of the attempt to break out of the dead end we were in, with a growing conviction that we were stopped and that we were going to have to break out of the inertia. I don't remember who raised it first, I think I did, as a matter of fact, I think it came from me, the idea of presenting a resolution for supporting the men in any way, whether for their innocence or for pardon or parole, whatever. But the idea was to present finally a voice from the AFL, because you see the CIO on the waterfront had taken that case away.

It started, if you recall in the beginning, with every central labor council in the entire state supporting the case, and as the AFL-CIO rift got bad, and as the Red issue became bad, the banner was born by the ILWU, by the left unions, by the CIO, the Internationals. We were somewhat caught in the cross-fire of that war, in a no-man's land, and even though I could effect negotiations in that no-man's land in San Francisco, I couldn't do it on a wider basis, and I couldn't even do it in San Francisco except with very specific AFL unions, but none of the construction workers. I think we got [Local] 261 a couple of times, the laborers, but none of the craft unions. We had the support of the service workers such as waiters and cooks, miscellaneous 110, some of the needle trades unions, Alaska Fisherman, moulders at some point.

Anyway, I decided that I wanted to submit a resolution. I had to broaden the base of the committee, I had to broaden its source of support, I had to get more of the AFL unions. Ed Vandeleur was head of the federation then, and they had been very cool to us.

The rift, again, we were caught in a rift that rendered any support from that organization hopeless. I thought we had to break through on that, so I called a meeting of all of the unions

Johnson: that we could count on. I remember calling on them, making a lot of personal calls saying this is serious and important, I need advice. I remember Merv Rathborne went with me there, and Henry Schmidt was there, and I think even Harry [Bridges] came in at one point, or Lou [Goldblatt]. All of these AFL guys, including the building service union--George Hardy, and [Wendell] Phillips, [Jack] Shelley, even Shelley--were present.

Anyway, the agenda consisted of one issue and that was: What shall we do about the convention? Shall we present a resolution? Well, the discussion went on for a couple of hours, and I was there to take notes but most of all to be advised. My argument then was to do it, and my argument was to do it because we had nothing more to lose.

The argument that I got in return, which I remember with vividness, and clarity--it was one of those insights into political thinking that I had never had before, and I think it was made by Shelley or Wendell Phillips--and the argument was that I was a fool because I didn't understand what was involved. The convention was very reactionary; the present leadership was very reactionary. They were going to be very lucky to get any kind of, a single resolution passed. The process would be that it would be hung up in the resolution committee, it would never get to the floor, and if it did get to the floor and was defeated, that if you introduced a resolution for the freedom of the men and it was defeated, you might just as well write their death warrant, you'd never get them out of prison. That was the one thing that would destroy the men.

If you took that chance, and Olson felt that there wasn't any union support outside of the small group of left-wing unions, he'd forget about it. He was under too much pressure, and it was a hot potato case for him anyway. You'd turn the key and you'd throw it away, if you failed.

Well, that was the unanimous recommendation, stay away from the AFL convention. To me the stakes were very high. It meant also breaking out of the doldrums we were in. Well, I'll never forget that that was their unanimous decision. The CIO guys, the waterfront guys that were there, were really there to participate in the discussion but their vote was admittedly not important because the decision, I mean the recommendation, had to come from the AFL guys. It wasn't a vote, it was a discussion for recommendation, for advising me. And the advice of the AFL guys, their assessment of the politics of the situation, was what was important.

Johnson: I remember leaving the meeting, and it was by this time late afternoon--it was almost a whole day meeting, we had quite a time of it. That was the main subject on the agenda. It was darkening and Merv and I walked back to the Second Street office together. We walked upstairs and I was sitting there very depressed, and said, "Merv, I think they're wrong. I just think they're wrong."

He said, "If you think they're wrong, go ahead. How are you going to insure that they're wrong?"

I said, "I'll lobby! I'll spend the whole week there. I'll organize a committee to go to the resolutions committee. If you just put it in there and don't do anything, you'll be defeated. But if you put it in there and do something about it--"

He said, "Well, as far as I'm concerned, I think that they're running scared, and I think that if you feel that you can do it, do it. You're not bound by that vote, and you're not bound by that recommendation." [Interruption]

Anyway, next day I went to San Quentin and laid it out to the guys. I described the meeting. That was one occasion when I felt that it was terribly important that I reflect reality very, very carefully to them, that they know exactly what the arguments were, and who made them. I just don't remember if Shelley was there at the meeting, but I think Shelley was. Shelley was a big voice, had a lot to say, was very respected. And I thought he was very important. Anyway, the men asked me the same thing, Shelley's view. They also recognized that it would be throwing the key away. All they said was "What do you recommend? What do you think?" I said, "I think we should do it, and I think we should do it because I think I can pit myself against that outcome. I think I can get a committee together to do it." So, they said, "Go."

Well, there it was, under me. The first thing I did, as I recall, was pull together some of the same guys to help me write the resolution, very mild resolution, and to help direct it to whom it had to be submitted--it had to be submitted before the convention--and to get their non-anger at me for making that decision. After all, I called them to an all day meeting to make a recommendation and then I had overturned that recommendation. That's what I had done. I called each of them up and said: "Out of desperation we're going to do it anyway, but I have to do it

Johnson: with a very careful campaign. Will you help me? In the steering committee? Before the resolutions committee? On the floor? And with other delegates? And that's what we did. We organized a steering committee, and Warren K. Billings was on it and Shelley. Shelley was the leader. Shelley was the most helpful. Shelley helped me organize that committee.

Our first big drive was to get it out of the resolutions committee with a recommendation. That was the first big trouble. It was a Tuesday night at one of the hotels that they were meeting at. We went--Shelley and Billings and many other guys, and myself, went before them to make our plea. There were thirty-two people there--don't ask me why I remember there were thirty-two--and we had to make our plea. Shelley was the spokesman, Billings was a spokesman, I was a spokesman. Anyway, they didn't act while we were there. We left. But it did come out of that resolutions committee.

I spent the entire week--I had three migraines that week, three migraines, first time in my life. So much was riding on it. From early morning I was down with pamphlets and cornering people, drawn up whole lists of people from various unions and various locations, and I probably spent time with every one of them. I lobbied morning, noon and night. Nights too, I mean evenings afterwards for drinks or whatever it was. But the resolution that came out of the committee and hit the floor was a very poor resolution. I think it was finally like: "We don't know if they're innocent or guilty, but they've served enough time and they ought to come out." A very lousy resolution, but it did ask the governor to release them.

Stein: My recollection is that it didn't say specifically how they should be released. It just said they should be released.

Johnson: And it hit the floor and it was passed with hardly any discussion. Some discussion, some opposition but--that was one of the days I had a migraine, [laughter] but it passed. And that to me was: first of all it meant reconciling the two opposing forces; that we were not going to be shot down in no-man's land. That's one thing.

Second of all, it gave us access to Ed Vandeleur's office. It gave us access to their stationery. It gave us access to their mailing lists. That meant money, that meant support, that meant being able to go to individual unions and get individual resolutions passed or whatever action, public action, that was

Johnson: necessary, or money. It meant my being able to go to the state federation of labor and use their addressograph. It meant we were, instead of being just the district council of the Maritime Federation which was already dead, we were part of the AFL, state, not part of it organizationally, but legally.

Stein: Did you actually do that? Did you actually use their addressograph?

Johnson: Oh yes. Indeed. That's why it's so vivid to me. It was like suddenly being legal. We wrote a letter to the unions, to tell them, as I recall, about the resolution and asking them for pressure on the parole board, or whatever, or money, I forget. Anyway, we went to Ed Vandeleur's office and he showed us how to work the addressograph, and used their letterhead, and their stationery, and sent out the letters. That was the important change for me, from the defense committee point of view. It legitimized our activity. We weren't just something from out there, we were from in there. As a matter of fact, I wrote a letter from him and he signed.

Stein: Really?

Johnson: "The convention has taken this action..." I talked him into it, and he signed, changed it but he signed it, with a notification to all the unions, and a request for some sort of action.

Stein: That sounds very significant.

Johnson: Oh enormously significant, enormously significant. That was the important thing about passing that resolution at the convention. I could begin to work. As soon as it was passed, next week, I called the federation office and was down there and talked to them. "You now passed this resolution, now this is what you have to do to follow it up. You have to notify the membership." He was kind of pleasant about it.

Now, somewhere in there, Leo went to work for us.

Stein: Yes, that's early October, 1941.

Johnson: No, before then.

Stein: Well, the press releases all said '41.

Johnson: You mean he was only working for us for three months before the men were released?

Stein: That's what it sounds like. He was brought in for the CIO convention.

Johnson: He was out here working on the Bridges case. He got very intrigued with the King-Ramsay-Conner case, that was just down the hall from the Bridges Defense Committee. He and Gert, his wife, he came down to talk with me, and we became very good friends. I got him very involved with the case. When his Bridges pamphlet was over, he asked to come to work for us at a hundred dollars a week. As a matter of fact, he used to laugh like hell about his boss making twenty-five or thirty a week and he was making a hundred. Anyway, he saw himself as doing two things. One, writing a pamphlet, and two, broadening the base of the committee to the national CIO.

Stein: Did he have connections with the national CIO?

Johnson: Sure. He had been educational director of the NMU [National Maritime Union], and he had always maintained quite a bit of contact with [Phil] Murray and all of those national people. So he was really a good liaison man, and he was in the East when the men were released. But he had gone back there on a convention, and had gotten quite a bit of money, got promises of support, and he had written a pamphlet. If it was only three months or two months, he did quite a lot in that time. But he was in the East when the men were released.

And you know, the night they were released, Paul Robeson gave a concert in Stanford, in Palo Alto. He invited the men to come down, but they couldn't leave the county. So I went down, and he dedicated songs to them. What songs did he dedicate? [Pause] Oh, a prison song, a Russian prison song. And he made a speech about them.

Stein: That is very touching.

Johnson: When we came back we all went to Louise Branston's house, and we sang more songs, and I accompanied him and sang duets with him. I "helped" him. I played on the piano. His accompanist was there, but this was informal. King and Ramsay and Conner were now out of prison. Conner was in the hospital. Ramsay and King were not permitted to leave the county. It was the same night or the next night, something like that.

Stein: That's a lovely story.

Stein: If we could back up just a second, there was a state CIO convention also that fall. Do you remember that? My notes don't say where it was. But they also passed a resolution.

Johnson: Well that would have been no problem. State CIO conventions were rather minor conventions. What was it?

Stein: It was only the third annual convention, third or fourth.

Johnson: In this state it didn't mean--maybe in southern California but it didn't mean much up here. You didn't have the massive, big industrial unions--ILWU but you didn't have the big industrial unions. You didn't have steel--you had a steel workers local, and whatever it was. I'm sure they would have passed a resolution. Our big problem wasn't that; our problem was the AFL. That was the worrisome one. That was where trade union power lay in California. You know, the CIO--we could always get support from them. So Paul Chowan at the Steel Workers--they never had any money either.

Los Angeles was kind of a weak spot. I remember working with Phil Connelly and trying to enlarge some support down there. The L.A. unions weren't very helpful. But the CIO with Phil Connelly was. Passing a resolution at a CIO convention was no trick, but an AFL one was a struggle. And I still think of it as the turning point.

Stein: Yes, that's how it appears.

Johnson: That and the Kidwell letter.

The Kidwell Letter

Stein: Let's go back to the Kidwell letter for just a minute because you did say before that you felt that there had been response to the letter and that--

Johnson: Oh, I'm sure there was a response to the Kidwell letter. I have a memory that is very vague, but it seems to me that Kidwell responded through Shelley, and you know what I mean. Shelley and Hardy and some of the AFL guys reflected back to me what Kidwell had said.

Stein: What had Kidwell said?

Johnson: See, I must have gotten a response because as I understand it he had presented it to the governor and he had presented it with the approach of saying that they (the waterfront--the unions) can't be held back anymore. He'd gotten some sort of commitment from the governor that he was going to see that there was action, and that's what was reported back to us.

Somewhere in my head was the sense that the Kidwell letter was the absolute turning point, that the promise after that was for certain--the game was over, not on a date, now on how, not on from what source. It is from that sense, I believed that the passage of that resolution at the AFL convention and the Kidwell letter became then the beginning of AFL pressure on Olson, and that somehow or another, when it was reported back to us, it sounded like this had authority, this wasn't wild-eyed Bridges pressure, or left-wing kids pressure or something, but this was very serious and the governor was responding very seriously. He was not going to make an idle promise.

That was my memory. He could make idle promises to me and Germain Bulke, and he could make idle promises to everybody up and down, but he couldn't play with these guys. These were old pros. They were all pros. Kidwell was an old pro, and so was Shelley, and they were not going to bow to--what got through to me was that a promise was made, and that we would get some sort of action. Now on top of all the promises that were broken I don't know why in my mind it seemed that we were heading into a crescendo, but it did. Even Leo's going back East--I just felt crescendo all over the place.

Stein: To the CIO convention?

Johnson: Yes, he went back to the CIO convention but it was generally an upbeat sense. Somehow or another I felt that we were heading into a crescendo: The combination of the AFL convention and the Kidwell letter, CIO nationally--the promise we got, the assurance we got from the AFL people. Nothing gave me that feeling except the sense that his games were over and he knew it, and that he isn't going to fuck with them.

Stein: And he didn't.

Johnson: And he didn't.

Stein: It was a crescendo.

The Parole

Stein: On November 28th they were paroled.

Johnson: Right. Now I don't remember how I first heard that they were paroled. I don't remember whether I anticipated it. I don't remember whether I got a phone call from a newspaper. It seems to me the word came from the men. Somehow they were permitted to make a call, someone made a call, Gwen Ramsay, something personal-like.

Stein: The men were told by a newspaper reporter.

Johnson: Is that what it was?

Stein: At least that's what the newspaper said.

Johnson: How could they have gotten into the men in prison?

Stein: That's a good question. According to one article, a San Francisco News reporter was allowed to visit them. They were called down to the captain of the guard's office and the News reporter gave them the news.

Johnson: Before the Parole Board did?

Stein: I think before the Parole Board did.

Johnson: How did the News reporter know before the men did? My God they violated a lot of rules.

Stein: That may not be entirely accurate.

Johnson: May be. I don't remember if it was a newspaper reporter that called me or-- Somehow the men got word through, somebody called me from the prison, or somebody visited them and called me from the prison. Anyway, Leo was East. I don't know why in the Tenney Committee hearings it was said that the men didn't need a job.* I had to get signed statements of a job for them, for each of them.

*The Tenney Committee, the California Legislature's Joint Fact-Finding Committee on Un-American Activities, held hearings on the King-Ramsay-Conner parole.

Johnson: And I got it from all kinds of sources. I had to get a statement I think from the Ship's Clerks [Union] that King could work there. I had a statement from a warehouse, I had a legal, signed form. Before those men could come out I had to provide job assurance for every one of them. So I don't know why they (the Tenney Committee) said that. There were job assurances. There was not only that, there was a job. But then I had been taking guys out of prison for a long time, you know, all kinds of parolees. There was no question about them having a job. It's ridiculous.

Stein: That's the Tenney Committee.

Johnson: But it was also untrue, honey. I had a signed statement from all kinds--I could have gotten a thousand jobs for them, it was just a matter of figuring out which one. But we did. We had to have it, that day--fast. We had to have it before they could be released. They had to have it on file.

Stein: So according to the papers, King and Conner were released first. There was an Immigration Department hold on Ramsay and it took another day to work that through.*

Johnson: I thought we waited and got them all out at the same time. I thought we all walked out at the same time.

Stein: According to the papers--

Johnson: I thought that King and Conner decided not to walk out without Ramsay.

Stein: Originally that's what they had decided, that they wouldn't and Aubrey talked them into leaving, that it was just a technicality before Ramsay would come out.

Johnson: Jesus Christ, my memory of going to San Quentin is all of us

*Ramsay was a Canadian citizen. For a discussion of his immigration difficulties and their eventual resolution, see Ernest G. Ramsay, "Reminiscences of a Defendant in the Shipboard Murder Case," pp. 33-38, and Edward J. Ennis, "A Justice Department Attorney Comments on the Japanese-American Relocation," Regional Oral History Office, The Bancroft Library, University of California, Berkeley, 1973, pp. 25-30. Ennis represented Ramsay before the Board of Immigration Appeals.

Johnson: walking out, the four of us walking out together, taking them out together. I just can't imagine leaving Ramsay in there. But the papers say so.

Stein: That's what the papers say.

Johnson: Because, Jesus, I know it was just awful, just a terrible thing, the idea of leaving Ramsay there, I mean really terrible. How long was it before Ramsay came out, a few days?

Stein: I think only two days, one or two days. The problem was it was close to a weekend.

Johnson: It was on a Thursday or Friday.

Stein: Yes, something like that. Well come to think of it I know that's true because Ramsy himself remembered that, that he didn't get out with the other two. He said it was a really hard time for him. He said he was pacing the floor with the cat all night long and that Duffy finally made arrangements for him to get out on the weekend even though that was not technically--

Johnson: Proper.

Stein: Proper.

Frank Conner After Prison

Stein: Well then, you said Conner was not in very good shape.

Johnson: Conner was out of it. I knew that before. That was handled kind of secretly. There was a doctor--I subsequently learned that the psychiatric section over there was trying to help us. I didn't know it at the time. Mier Tuckler (whom I met for the first time many years later and who told me his role. I didn't know it at the time.) was there, Dr. Tuckler. They all agreed to say that he [Conner] was not insane, but he was insane. Tuckler told me years later that they didn't want to cause any upset in the men leaving. It was already bad about Ramsay and they didn't want anything to interfere with the men leaving. But I did get word--and I can't tell you how, besides seeing Conner, it was obvious--that he was totally psychotic. He didn't

Johnson: know what was happening to him, he had delusions that they were bringing women into his room, his cell, that he was a stud, sexual delusions. He was quite delusional. And incidentally, I did remember some of the problems we had about Conner and publicity in the past.

Stein: What were those?

Johnson: Well, because he felt that he was the least important man, to the case and the unions, and that he was not being as well treated as the others. His particular anger was at King, I mean at Ramsay. It seems to me in the interpersonal relationship that King was the older man, was the sort of father figure, was able to reconcile them much more, was able to deal with more. I don't think they were ever fond of each other, but they did learn to deal with one another.

Stein: So what did you do with Conner, once you got him out?

Johnson: Well, my job that day was to keep any reporters from coming near him. I never was so nervous in my life, because one question to Conner would have blown the whole cover, and it was a cover, really. I don't know now or then who all was being so kind. I don't know who was arranging it all (greasing it, maybe the warden) but it was pretty obvious that Conner was absolutely psychotic. We knew that if they said that he couldn't come out it would be only King.

So I felt that the important role for me was to keep the reporters away from him, especially when we stepped through the door and the reporters could come to him. Because inside was a lot of the activity, the signing out, all that sort of stuff that was taking place in the captain of the guard's office in the inside of the reception place and some in the lawyer's room. But the minute that we stepped out the newspaper reporters were there. So I thought that that was my role.

I had already arranged for him to go directly to French Hospital where there was a psychiatrist and a bed. But we couldn't even take him to the office. We couldn't allow him one moment of freedom. My whole day was colored entirely by the need to manipulate and handle the business with Conner. I also had to say to Conner, no he couldn't go to a bar, after all these years. I had to be the one to say he had to be imprisoned again, in a sense, that he had to go to a hospital.

Stein: It's very interesting because from reading the papers, I can say that you did an excellent job. The papers never got wind of the fact that maybe there was something a little more than met the eye, that he was a little bit unstable, that he was emotionally disturbed.

Johnson: Completely out of it. He didn't even know where he was.

Stein: That they didn't pick up at all.

Johnson: Well that's how I conceived my role then. And it was dreadful because he was so ill and we couldn't be obvious about it. We had to whisk him into French Hospital through a back door and it was just awful. I had to leave him there. Somewhere, by the time we got to the hospital, he had an idea he was ill. He had an idea he was ill, but he was too ill to--

I was working very hard, or was eluding subpoenas, and couldn't go to see Conner. I tried to get people to go see him. And I remember hearing that he was not better, that he couldn't be let out of French Hospital. And of course one week later-- Pearl Harbor.

The Tenney Committee Hearings and the Departure of King, Ramsay, and Conner

Stein: The Tenney Committee?

Johnson: Well the Tenney Committee issue began the very next day, the very next day when they came out. I was on the run, and I had to disappear. I couldn't see Conner, but one week later, December 7th, which is when I came back, I came back on the 8th.

Stein: And what happened to the men then?

Johnson: December 7th?

Stein: Yes, after that.

Johnson: Well of course they felt retrieved, they felt saved. They had been very frightened, they wanted to get out of the country, out of the area immediately during that preceding seven days. Very very frightened. The headlines were dreadful. They were

Johnson: really out to put them back in prison. Warren, the Tenney Committee, everything was just violently against them and they felt that they couldn't stay in the state, that they had to get permission to get out of the state because Warren would hound them to death. It was a very, very scary time. Of course when Ramsay came out he had family and I think King's brother and sister came down and were with him. I wasn't around. Leo Huberman was around. He came back from the East and he was around.

Stein: You were dodging a subpoena, right? I just wanted to get that on tape.

Johnson: Oh yes. I was dodging a subpoena. The men came out it seems to me Thursday or Friday. The following day the Tenney Committee announced that it would close shop in L.A. and move up here beginning Monday to open hearings on the communist King-Ramsay-Conner case. That was the announced intent. And on a Monday or Tuesday I was--where had I gone? I had gone to L.A. for something. I don't remember what happened on that weekend after they came out of prison.

At any rate, when I came back I was advised not even to go near the office. Somebody picked me up at the airport--I don't know why I came from the airplane. I can't imagine leaving that weekend. I really don't know why, but I was advised (message from attorneys) not to go near the office, that there was a subpoena out for me and not even come near the office, and we bypassed the office, I didn't go to it. I went home and took my things and I left. I went to Petaluma, stayed with my folks for about three days.

See, the Tenney Committee moved up on a Monday (following their release). I must have flown to L.A. on the preceding weekend, or something, returning Monday or Tuesday, because on my way back someone came to the plane and said "Don't go to the office." So I dodged Wednesday, Thursday, Friday and Pearl Harbor was Sunday. I came back Monday morning, first time I had been to the office in over a week.

And after Pearl Harbor things were strange, everything was in an uproar. King still wanted very much to leave and felt that he could then. They wanted to leave the state, they wanted out. Conner I just don't remember, I sort of lost track of. I saw a lot of Ramsay. King was family involved. We were all very warm and very friendly, but Conner was too ill.

Johnson: We were all relieved not to have to--I remember Ramsay and King saying that they were going to do something drastic if they had to spend one more minute with Conner. They had had it up to here, and they'd had it with each other, too. They didn't want to see each other. I don't mean that they were angry but they really had had it with each other. They wanted to go off and have their own life. But both of them said to me that they couldn't stand a moment of Conner. They had had five years of a really very stupid, very slow man, and a psychotic man towards the end, and they just couldn't handle it anymore. So it was very important to keep them apart.

Stein: According to the newspapers, sometime in January Conner was given permission by the court to go East, to Massachusetts, to his sister.

Johnson: Court permission for all of them to leave was very quick after that.

Stein: Oh was it? The only one that was reported in the newspapers was Conner.

Johnson: With Ramsay of course it was the whole business with the deportation, but it seems to me that King left rather quickly.

Stein: And was that when he went to New York?

Johnson: I think so. I left in February. The King-Ramsay-Conner Defense Committee folded in February. I stayed on only a month after the release of the men. Less than a month. Cleaned it all up. I got the audit done. I went to visit New York. I wanted to visit the Hubermans, to spend a couple of months with the Hubermans. They had invited me. I arrived the night of the brown-out, so you could date it, when the lights of Broadway went out. Oh, it was January, actually. Leo and Gert dragged me from the train immediately down to see the lights go out. Of course they never went on again for the whole war. That means there was only a month, month and a half after they were out of prison, month after they were out of prison when the committee folded. (A clerk was hired to look after things after I left.) I went East, but King was already gone. If not East, he was gone from here. But I didn't see him in New York. With Ramsay there was the whole business with the deportation.

Stein: Were you involved at all in that?

Johnson: No. Not at all. Very little. It was just a legal fact that we were always having to worry about, and think about. Could he get out of prison? That was a problem that we talked about before, was that going to be a hang-up about getting out of prison. I don't think I ever cried as much as I did when I found out he couldn't come out of prison. I thought the men [King and Conner] waited. My memory was that we couldn't go through with--(no wonder I blocked it out). But the blow when we finally had the parole and he couldn't come out was just awful. I thought that would break him up. I remember crying when I told him.*

But within a month afterwards the whole thing was forgotten--well, there was a war on, honey.

Stein: That's very interesting. In the last week I've looked at the newspapers for that first week in December and just as you say, the headlines for the first week, every single day, are taken up by the Tenney Committee, and it shared space with the war in Europe. Japan was making noises, and then December 7 and December 8 the whole front page is just completely changed, and the Tenney Committee literally disappeared. Sometime in December they technically recessed the hearings until January and they never reopened them. Then it took them two more years to put out their report.

Johnson: Yes, that's what happened. That's my memory of what happened. It was just awful that first week. I really felt, that first week, that they were just a hair's breadth from being shoved back into prison. I don't think they (the authorities, Warren, Tenney, parole board) would have done it. I don't think they could have done it. But anyway that's the way it felt. Pearl Harbor.

Funny, we were very close, and yet there was no attempt to see one another once it was over. I saw Ramsay a number of times. Saw him in New York. He used to come to visit me every time he'd come to the West Coast. King didn't come here.

*At first, during the interview, Mrs. Johnson recalled that King and Conner had waited to leave prison until Ramsay could be released. As she spoke, and later as she edited the manuscript, she realized her error, and commented off the tape on how painful the memory of telling Ramsay that he could not leave with the other two must have been for her to have blocked it out. [Ed. note.]

The Men in Prison

Stein: The only question I still have is the men in prison, just as a general question. One of the things I'm very concerned about is how the men held up. There are reports that I've read, which I don't give much credit to, that King was ready to break at one point. That was one report. And the other thing I wonder about is how comfortable they were as political prisoners, with the role they were sort of cast into or thrown into?

Johnson: Can I stay off of Conner for a bit? Because Conner's sanity was always fragile and his intelligence and ability to participate was at best limited. We always had to underpin Conner. Occasionally he'd come through with something that had something in it resembling an insight but actually he was a straight drag on me and on the committee and on the men, and I hate to say it now but it was a fact. We don't have to worry about Conner's feelings now. It was a fact.

King was most comfortable about being a political prisoner. His perception of what a political prisoner was may not have been yours, but he had the broadest sense of history of the three and a sense of the trade union movement. He had a clear feeling of class struggle. He had a strong attachment, understanding of the McNamara case and of the Mooney case and all of that. He had the greatest sophistication, being aware of being caught in political struggles, aware of the communist issue, aware of those kinds of political struggles on the waterfront.

Ramsay was less comfortable with the whole thing. Much, much less comfortable with the whole thing. He really didn't have that much perception. He really didn't. He really yearned, in my own view, yearned for the deal. I don't mean the deal, in the sense of a dishonorable deal. He yearned for disassociation from any political issue. He yearned for respectability, even as a prisoner. King was much more ready and willing to deny that respectability and take his place as a trade unionist. He is the one who sought out McNamara; he felt that he (King) was in that tradition.

Stein: Did that carry over to his behavior in prison?

Johnson: Well, I remember King's face when he told me about the food riots, when I went there. They were all locked up at one point. I couldn't see them. But when I saw them again King told me how

Johnson: serious was the rumor against him.

My memory is that it was not too long after I became the head of the committee. My memory was that I didn't know them too well at that point. And my memory is that at that time, it was before I had the attorney's privileges, and at that time I visited King. It was either immediately after or during the food riots. I had to pick who I saw. I couldn't see the men together. So for a long time I saw either King or Ramsay or Conner. I couldn't see them together at once. I think after Duffy became warden I could see all three men together in the attorney's room.

On that occasion I remember seeing King and he was gravely concerned about the assumption that it would be said, (and this conversation took place before it appeared in the newspaper) that he had organized it, that he had something to do with it. He, not he and Ramsay. Whether he said to me then (because he didn't trust me and know me very well), "I had nothing to do with it," or whether indeed he had nothing to do with it, I don't know. But he did understand that inevitably he--a trade unionist, involved with the waterfront and strikes--would be identified with the food strike. He made very clear to me then that he didn't want any part of it and felt that he was being dragged in and identified with something that he had nothing to do with.

Now, as prisoners the only manifestation that I felt of King's interest, King's sense of himself as a social person was his involvement with many, many prisoners and his effort to have me help people in prison, his promise of trade union help, jobs. I had a constant stream of parolees coming to my office, to my home, for whom I was getting jobs. And I of course felt committed to carry out any of their wishes. But I was constantly involved with parolees, just constantly, with getting them out of prison. And then his enormous interest in the political prisoners that were there, in McNamara particularly. He told me endless tales about McNamara, about the trade union movement at that time. I found King heavy to be around. Not always fun for a young girl, which I was, but I had an awful lot of respect for him. I had much more respect for him than I did for Ramsay.

Stein: Do you think that King was heavy in the same sense with his fellow prisoners? Did you imagine him lecturing other prisoners about labor history?

Johnson: Pompous, yes. I imagined King as being much more isolated, much less liked, though deeply respected. I imagined that the prisoners felt very much as I did. I always preferred to see Ramsay. And Ramsay had a lot of friends. Ramsay was an easy going guy, had a lot of friends, easy humor, easy kidding, light, stuff like that. King was a heavy, heavy man to be around. Full of pomposity, holding forth. I respected him very much but I didn't enjoy him as much as I did Ramsay (and Ramsay was a young, nice looking man).

Stein: Did either of them engage in any sort of political acts in prison that would have led to their losing privileges?

Johnson: No, never. They never, in my knowledge, that I remember, there was never any--their record was perfect. That's one of the points they kept making when they went before the parole board. At one point there was a mix up about Ramsay. That had to do with getting his job as a fireman. That was a mess, that had him in some sort of jeopardy. But it worked out. He did get the job as a fireman. He competed for it and someone ratted on him, I don't remember what it was.

They were very popular in prison. By that I mean they were a well-known case. Rumors in prison are incredible. I'll tell you how strange it was. Prisoners, strangers, guards would notice and comment to one another about a new blouse I wore. It would be the subject of discussion. Rumors and gossip in prison were endless. The fact that King, Ramsay, and Conner were constantly in the newspapers, and that there was massive support and the Bridges support and the union support, all that sort of stuff, and lots of visitors was pretty well known. It was well known in the entire prison. Very well known in the entire prison system.

They were popular. They were non-aggressive. None of them were bullying men. They were very well known. How could I tell? I met so many prisoners. I talked to so many when they came out. I knew the captain, I knew the guards. I knew the prisoners. Four years of going there that much, it's like a home. You know everybody. I knew how they were regarded by the way I was treated and mostly from the parolees, the guys that came out.

Stein: Your mentioning that Ramsay got to be a fireman reminds me that one of the big issues that the Tenney Committee was very interested in was the fact that King had a job off the prison grounds for a while.

Johnson: He did right up to the time he was released, I think. But it came rather late in the game.

Stein: That was my impression.

Johnson: My memory is that they first worked in the jute mill.

Stein: That's right.

Johnson: When I met them, things were very, very rough. They worked in a jute mill, they had a long, hard day, they worked very hard. It was hard on King, and the food was bad. They didn't have newspapers.

The changing attitudes of the prison towards all prisoners was evidenced by the increase we had in costs. We could get them a radio, finally. You could order a newspaper. I remember a radio. The radio's dim in my head. It seems to me towards the end we could get them a radio. You could order newspapers, socks--I had to take care of all of their needs, all of their needs, including socks, and all that kind of stuff. The job changes out of the jute mill began to occur about half way, it seems to me, about half way. Also when the cafeteria came in, and the trays came in, and the food got better.

But King's job was outside the prison. He had a little house because he cooked. Some sort of little house.

Stein: Did he work on the San Quentin docks?

Johnson: It was on the waterfront. King was a good risk. First of all murderers are better risks. Did you know that the best risks are murderers?

Stein: No, that's interesting. Risk, for giving responsibility to?

Johnson: For responsibility, for recidivism, for behavior in the prison and for escape attempts. The best risks are murderers. So the fact that King had such a job, that both those men did, was not surprising. It was not special privilege, it was normal, because they were much more inclined to risk it with a longer term murder conviction than with shorter term forgeries and all that, well in short, criminality. Murderers aren't necessarily criminals, murders of passion-- Murders from armed robbery is another thing. The fighter who hits a guy and who is in there for second degree because his fists are a weapon. Manslaughter

Johnson: charges-- Generally speaking, people convicted of murder were the best bet, not in a crime, I'm not talking of a murder that resulted from armed robbery, but murder. Blew up at the wife because he walked in there--I remember one of the guys that came out of prison had killed his wife and her lover.

But in prison the adaptation is best, and the recidivism rate is much lower, just much lower. Of course I don't know what the whole drug scene has done now, I don't know what that is. But the recidivism was very much lower for murders and that King would have been given a responsible job was not surprising. He was a middle aged man, a quite educated man compared to the others, I mean to the rest of the prisoners. King, Ramsay, and Conner, particularly King and Ramsay, were high class prisoners in prison. They were responsible, they had families, they had supporters, they had no criminal record. Not only were they not given special privileges with those jobs--but failure to allow it would have been the rankest kind of discrimination and vindictiveness--using the customary prison criteria. They were very high class and they were murderers. [Laughter]

Stein: That sounds a little contradictory but I understand what you mean.

Johnson: No. No, no, no. That's true. That's really true. I've read it a dozen times since, but I heard it thousands of times from the captain of the guard, or from the people in prison. From prisoners. "Oh well. You can always trust a murderer." It's nonsense. It's like every other generalization. But I think statistically it's probably true. So anyway, King and Ramsay were very high class prisoners.

Now I don't know what happened about the library. King took to using the library. I don't think there was a decent educational program there. I think it evolved later.

Stein: No there wasn't.

Johnson: I think it evolved later. And even then it seems to me King took some classes, or some kind of instruction, or something in the library. I don't think Ramsay did, but I think King did. I often thought about that later, when I remembered some classes began and some educational system began then. It seems to me it started before they were out of prison. Whether I was aware of it or not--but I thought how much different things would have been if they had been given the right to be involved in some

Johnson: kind of learning process, because this was very, very possible for King.

Stein: I gather the committee itself sent in quite a number of books to the men.

Johnson: But so much they weren't allowed to have, political stuff and-- Yes, we sent books. King read but I don't think Ramsay read much. And Conner, who knows?

Stein: The very early records of the committee indicated that at first the men were allowed typewriters. They each had their own typewriter, and they each had their own record player.

Johnson: In Quentin?

Stein: In Quentin.

Johnson: Are you sure?

Stein: Yes. Phyllis Edmund* had arranged for Sherman Clay, the music store, to send the men every month a list of their new releases, and the men would choose which records they wanted, and she would send over the new records, mostly popular songs.

Johnson: I have absolutely no memory of equipment. Or books. I have no memory of them asking for books. Now I don't know if that stopped because the library was established at Quentin, I really don't know what happened but I have no memory of books. I have a memory of socks--were there records? Let me think. Records or books. Maybe there were some records. Yes, there were some records. There were some records. But there was a special arrangement, some special way we had to get them records. We had to order them from the manufacturer. Is that what it was?

Stein: That may have been. That strikes a bell in my mind.

Johnson: The same with the books.

Stein: You had to order them from the publisher and it was sent directly.

Johnson: Directly. You couldn't buy from a book store. You had to get it from the publisher and you had to get it from the record company.

*The defense committee's secretary from the fall of 1936 to the spring of 1937.

Johnson: You couldn't have a retail thing on it. That's why I don't remember shopping for books or records. You couldn't send them anything you bought, except the socks. They (the prison) provided shoes and clothes and everything there. And I'd buy them occasional underwear I think. For some reason or other they'd want crazy things, like some football underwear.

Stein: That was probably the only original thing they could have.

Johnson: But even then it seems to me that there was a special arrangement. We couldn't send them anything. Everything was complicated and difficult. It got less so as time went on, but very complicated to get anything. But that was the one thing, whatever they wanted they got.

Stein: There was one incident, which may have been before you took over, where a group in the Northwest somewhere wanted to send King a painting, an oil painting or watercolor, of ships in the harbor during the 1934 strike.

Johnson: Yes, I remember something about that. I don't think it happened when I was there but I remember hearing or reading about it. And they wouldn't allow it.

Stein: And they wouldn't allow it.

Johnson: They wouldn't allow any political books, I know that. No political books. They wouldn't allow the Maritime Federation paper.

Stein: The Voice of the Federation.

Johnson: The Voice. They wouldn't allow anything published in San Francisco.

Stein: In the defense committee papers I kept finding invoices from somebody's smoke shop for subscriptions to various newspapers and magazines and they were all--

Johnson: Out of state.

Stein: Yes. The Seattle Plain Dealer.

Johnson: You couldn't get California papers. It wasn't San Francisco, it was California. No California papers. But then I think it changed.

Stein: Did that change with Duffy?

Johnson: No, it didn't change immediately, but it changed before they left prison. At some point they were able to see the San Francisco Chronicle. Now I don't know how that happened. I don't know if the prison began to get it, they could order it right in prison or what. But at some point they started reading about themselves when things would occur.

Did I send them pajamas? Something to do with sleeping. House slippers, pajamas, a robe. Something. Where would they ever wear a robe. That's ridiculous.

They were not cell mates. Ramsay and King were not cell mates. They had different cell mates. King had one cell mate for a long time that he liked quite a bit, I don't remember what happened to him. That is a source of a lot of trouble in prison, cell mates.

Stein: Did he have a cell mate also when he was living outside the prison?

Johnson: No. He was alone. He lived alone and he shared the place with someone because it seems to me--I have a vague sense of round-the-clock shifts. He didn't live out there all of the time. He came into the prison. He didn't live there all of the time. He maintained a cell in the prison. He had two homes. [Laughter]

Stein: He had his residence and his country estate.

Johnson: He loved it out there. He really loved it out there. It was almost like not being in prison for him. He got all the food he needed. Somehow he got some commissary food. He stayed out there, and he cooked, and he was close to the water and he saw it, and he could read. The work wasn't hard. There were boats around or whatever it was and he really liked it. I know it was an enormous easing of tension for Earl, being out there. He actually wasn't chafing at the bit as badly. It's odd, but it's true.

But Ramsay. Ramsay had all kinds of deals going. I don't know what they were but the fire department, the fire department was a good job for him. He'd leave San Quentin. They'd go fight fires outside of San Quentin. They did when the fires were bad enough. And around the community, for San Quentin guard houses and stuff like that. Some other big job. There's something

Johnson: troubling me about a job of Ramsay's that he got into some sort of trouble about. Something bothering me about that.

Stein: Let's see. He worked in the laundry.

Johnson: That was after the jute mill wasn't it.

Stein: Yes. He's the only one in fact for whom I have a complete record of all his employment. I can't remember his other jobs besides the laundry and the fire department.

Johnson: He finished in the fire department, didn't he?

Stein: I can't remember.

Johnson: Something's bothering me. Something like Ramsay was going to get fired from the fire department. And how can he get fired--something's bothering me. He had some run in with someone. It's troubling me. I always had to depend on their telling me so they're not as vivid as a thing one does oneself. What do you know about Conner? What did he do?

Stein: He worked mostly in the jute mill and the boiler room.

Johnson: They'd have a hell of a time providing him with a decent job. That was another source of trouble, because Conner was very envious of the two guy's jobs. He didn't have a good job. I think at various points he wanted me to do something about it, to go to Duffy and complain. He was a problem, don't think he wasn't. You had to constantly keep them together. You couldn't have him breaking off.

Stein: I sensed that in a lot of the publicity where the defense committee is trying to counter the prosecution charge that this was a bunch of communist assassins by saying that these are men with very distinguished records, they've held office in their union. First the literature extols King's virtues and then it extols Ramsay's virtues and then it always feels like they're having to whip up something decent to say about Conner and the brave work that he did as delegate on the Point Lobos, when in fact he really didn't do anything.

Johnson: Yes, well. Conner was a real pain in the neck. He was a thorn. And that was one of the things that used to drive me up the wall with King. Drive me up the wall, I mean, when I'd see King

Johnson: alone. Sometimes I'd get a little note from them--"Come and see me alone." "Please come to see me alone." Or else, sometimes, a note saying, "Come and see us all." But the "Come and see me alone" used to scare me shitless because it was always problems and troubles and lousy feelings and heavy feelings and angers and-- It was just awful.

I remember one time with this "Come and see me" from King-- I remember the bitterness with which King spoke about his personal degradation and having to have his fate tied up with two men like Ramsay and Conner, the personal degradation it was to him, particularly Conner, that his fortunes were inextricably bound to somebody who he wouldn't even talk to on the outside. He wouldn't waste three minutes of his time, and the same for Ramsay.

Stein: That's an interesting insight into King.

Johnson: Why?

Stein: Well just that--

Johnson: That he felt that he was better than everybody in prison. And he probably was. But you know the feeling of being a better class man who had more responsibility and a better class family and being tied to these low class characters in his own case, though I think towards the end he came to have a better feeling towards Ramsay. Don't forget that King and Ramsay were on opposites sides of the fence in the union--politically, to begin with.

Stein: Besides being a generation apart.

Johnson: Besides being a generation apart. I think that they came out friendly at all is remarkable, actually. And they were. They didn't hate each other. One didn't have to fear having them both in the room. They would greet each other very cordially. They had a sense of responsibility to one another. You couldn't attack Ramsay to King, and you couldn't attack King to Ramsay-- and in all the years, neither did or said anything to harm the other--no cop out, no blame shifting. (Imagine now--Panthers, SLA--awful lack of personal integrity.)

Stein: That's saying something.

Johnson: Oh it was saying a lot. But it was not the way it always was, and

Johnson: it was not the way it was when I first came on. There was a lot of tension, King felt a hell of a lot of tension about Ramsay. But mostly he felt degraded, degraded. And of course Ramsay was a young man. He couldn't stand King's bullshit, verbosity, pomposity, and stuff like that.

But my feeling is that the Bridges case was a turning point in their personal relations.

Stein: I was just going to ask what you thought caused that to change.

Johnson: I think they were both exposed to a public position and there was a more unified feeling. That was the feeling I had, that they were more unified after that. Not really unified--respectful. I think it's true that they would have never been friends on the outside. But I think they stopped the gossip, the building up of negative feelings. Each had been trying to use me to talk about the other one.

Stein: That must be like being in the middle of a divorced couple and being friends with both.

Johnson: It was terrible. That was one of the most important reliefs for me, getting the lawyer's privileges which would allow me to see all three men together and the discussion could be-- Oh, I remember spending hours talking baseball. I learned all about baseball. I remember getting Blackie Myers in there, and he and Ramsay and King, particularly, got into such a battle about--it was World Series time. And the screaming and the raging at one another, the guard came over. Political talk! I mean it was important talk about baseball. What's-his-name (Blackie) was from Brooklyn. Oh it was just wild.

One of the things that they developed from the time that I came on the case until the end is a very, very comfortable way-- I'm speaking of Ramsay and King--of talking to strangers. Initially, when I first came on, it was hard to visit them. It was hard for strangers to visit them. It was hard on the men, and they began to resent it. They didn't want strangers coming. It was too hard for them to carry on a discussion. But as time went on they got very much more adept at that.

Stein: That about wraps it up, I think. I think we have a very good story here, a very good picture. Thank you.

Transcriber: Michelle Guilbeault
Final Typist: Keiko Sugimoto



Dear Sir and Brother:

In the past month, a series of trade union conferences have been held on the King-Kansay-Conner case in San Francisco. We are attaching a list of all union officials who were present at these conferences. Reports were given by trade union delegations on their meetings with Governor Olson in an attempt to get a commitment from him regarding the case of these three men. Reports were also given by the Defense Committee on the activities of the Committee and its dealings with the Governor.

These reports were convincing proof to all the delegates assembled that in the interests of King, Kansay and Connor, labor's course of action must be radically changed. By unanimous vote of the delegates assembled on September 10th, it was decided to organize and encourage all types of publicity and mass pressure to bring the case back to the rank-and-file of labor, to expose the machinations and intrigues that have complicated and confused what is in essence, a simple clear-cut case. Most important, the conference felt that were in the past so had counted on the good-will of the Governor and his sense of fair play, it was now obvious that he was stalling, had no intentions of freeing the men, and the only recourse left to labor was to deal with this case in the accepted trade union manner.

Since you are labor's representative in the State Administration, and have on many occasions expressed your support of the King-Kansay-Conner fight for freedom, we feel obligated to make clear to you the reasons for this decisive change in policy so that you may understand completely the facts which prompted this move.

In the two years since the Governor was petitioned for release of the men, he or his office have set at least six different dates as deadlines for action. We give them to you, and we stand by the veracity of every statement:

(1) In the latter part of 1939, the Governor promised a large labor delegation that it was arranged for the Parole Board to sentence the men to ten years, with immediate parole. This action was to have taken place when the men again came before the Board. The Governor stated he would take action on the pardon after their release.

(2) A letter is in the files of the Defense Committee from the Governor's office, assuring the Committee that a decision would be made in June, 1940.

(3) In late August, 1940, a conference was held with Governor Olson, Cormine Bulcke, and Miriam Dinkin. At the conference the Governor gave his personal promise that by October 15, (middle of the month) King, Kansay and Connor would have been visited and a decision would be rendered. Special emphasis was laid on separating the two promises, and he assured the labor representatives that both actions would be taken. He further granted Miss Dinkin permission to relate his promise to the prisoners after being duly impressed with the tragic effect a broken promise would have on the men. By the end of October, 1941, Governor Olson kept half of his promise -- he did visit King, Kansay and Connor. The other half went unnoticed.

(4) The Committee was informed by the Governor's office that it is customary for the Governor to act on many applications for executive clemency at Christmas time and that we can expect that our applications would be included. The Governor refused a Christmas pardon.

(5) The Committee was informed by the Governor's office that a pardon hearing would be held in February and the decision would be rendered either at that hearing or soon after. The hearing was held February 10. No mention was made of a decision.

(6) On February 13th, the Committee was told by the Governor's office that the Governor had sent the following message, "There will be no action on the King-Mansay-Conner case for ninety days, immediately after which there will be a decision". Ninety days later, June 13, there was no decision, no explanation.

Since that time, no date has been set.

In this two year period, the Defense Committee, the three prisoners, and all labor and its representatives were firmly convinced that the Governor knew the merits of our case, intended to see justice done, but was looking for an opportune time to take action. It was generally believed that the job of labor was to help the Governor in finding such a time, by refraining from undue pressure, by publicizing the facts in the case so that the Governor could be supported by the public in his action and by patiently biding our time between the various dates given. At no time did the Defense Committee ever, in its publicity attack Governor Olson or indicate distrust of his delay. As a matter of fact, at one point, when Governor Olson was out of the State, and a spontaneous move developed among seafaring unions to urge Lieutenant Governor Patterson to act, the Committee sent a wire to the Governor informing him that we had no connection with the move. The men in prison particularly, felt that they did not want and had no need of a "back door release". At the cost of their own freedom, they preferred to put their trust in the Governor's sincerity and good-will.

It is a fact that on one occasion a national campaign for a Christmas pardon was instituted involving many union leaders and members in the nation, as well as Catholic groups and interested liberal politicians. This, because we felt the time was good, and we wanted to inform the Governor of this in every possible way. It is also true, that the Committee solicited support for the men from many sources, but that support was mainly directed towards inuring the Governor of the general desire to see these men freed. It was, at no point, vindictive, threatening or divisive.

At the time of these broken promises, the Committee was informed through obvious means of the reason for delay. In 1938, the Bridges Hearings were held and King and Mansay testified that they were approached by Harry Doyle who offered them freedom in exchange for perjured evidence against Bridges. We were then informed that release of the men either Board action or Executive clemency, would jeopardize the prestige of these parties, and that action would be misinterpreted by the public.

During most of 1940, excuses included special sessions of the legislature, the Governor's involvement in political matters, and the endangerment to his standing if he acted on our case. In the 1941 legislative session we were informed that threats had been made to attempt impeachment proceedings against the Governor, in the event he acted on our case. Always, the time was inopportune. However, since July the legislature has been adjourned.

On August 13th, the first trade union conference met. A delegation was elected to obtain an appointment with the Governor in order to once and for all find out where the case stood. The delegation that saw the Governor consisted of Senator Sholley, Wendell Phillips, Alexander Watchman, Randolph Terricather, J. Ihimos and V. J. Malone. The delegation reported the following: Governor Olson had stated that the recent attempt by one Paul Yerimain to bribe Arch Lyons, Bureau Board Member with \$10,000 to free King, Mansay and Conner, and the disposition of the indictment against him was now the stumbling block. Until the matter was cleared up, no action would be taken. The delegation suggested that the matter may continue indefinitely, that the men were not responsible and should not be jeopardized. The Governor agreed to an informal conference with Mr. Sholley, Mr. Malone and Mr. Olmikow, to inform the Governor of the exact extent of Mr. Olmikow's involvement, and to prove the innocence of Mr. Olmikow and all persons involved in the Defense Committee and the labor movement to the Governor's satisfaction. The informal conference was held—Mr. Olmikow told his story. The Governor did not question it. The Grand Jury also heard Olmikow's story and did not indict him. At the third trade union conference, September 10, the following report of the Governor's position was given by the representatives: (1) No action will be taken on the King-Mansay-Conner case until after the complete disposition of the Yerimain case. (2) No executive action would

taken until after the men were released by the Parole Board. This then, is the present status of our case.

On the Vermain matter, we are certain that Governor Olson knows that there is no responsible involvement in an attempted bribe. The Governor well knows that we have dealt with his office for two years, with the parole board, much longer. No hint or thought such recourse has ever occurred. The Governor and the Parole Board are concerned with the possible reflection on their own reputation if they should free King, Ramsay and Conner. We would like to know how and why the lives of three men should be jeopardized because of something which somebody we have no control over, something we can't guarantee won't occur time and again, nothing so far removed from this case, as to be laughable. Further, we feel that Governor Olson is using this incident as an excuse for more deliberate stalling, because he does not intend to see King, Ramsay and Conner out of prison.

Regarding the Parole Board; in the past few years, our men have been before the Board eight times, compared to the customary once a year appearance. The Board has toyed with the case and postponed it time and again on one or another excuse. John Gee Clark, on record for parole, is scheduled to resign for a judgeship. A new appointee will require months to study the case. Mr. Lyons will undoubtedly refuse to act because of the reflection on his integrity on account of the bribe attempt. Mr. Stephens has publicly stated that the men should never be released and is on record for life imprisonment. We refuse to rely entirely on a parole action which shows signs of never being forthcoming. The three prisoners have already indicated that they will refuse to make further parole applications. The nervousness of repeated Board appearances has taken its toll, and the men are reluctant to be subjected to such unfair treatment, especially when they are convinced that this move is completely futile and will bring no results.

Despite our reluctance to face it, it has become glaringly apparent that King, Ramsay and Conner are still in prison because the issue of their freedom has become imbedded in a web of political intrigue. What makes this case even more tragic is the fact that keeping them behind bars is stupid politics. The Governor has lost and will continue to lose strength by his failure to free the men. Certain facts are obvious: (1) The people and interests who oppose freedom, have been, are, and will be opposed to Governor Olson. They always have and will continue to do all they can to remove him from office, no matter what his actions are on this issue. (2) This case, if it has been disposed of years ago, would have made a comparatively small political ripple. The longer the delay, the more of an issue it becomes. We do not lose support with time, we gain it. More and more people are familiarized with the case, and become indignant with the imprisonment of the men. ~~XXXXXXXXXXXXXXXXXXXXXX~~ The quicker the case is disposed of, the less reaction will there be. (3) The members of organized labor are always more emotional and responsive to an issue involving their leaders in prison. This case has and will become one of the vital issues in the labor movement, especially in the progressive section. And, whatever decision is made regarding future political support, one thing is certain; this case will be a determining factor. (4) There is no legislature in session now, no legal technicalities to hold up action. The Governor is thoroughly acquainted with the facts and has stated in the newspapers his conclusions regarding the flimsy nature of the evidence. Further he has referred to the recent delegations that, even granting all prosecution contentions, the men have already served too long in prison and should be free. Now is the time to free them. If the Governor allows his decision to hang fire, the case will become involved in the state political election campaign and will never be disposed of. If he acted now, the matter would be a dead issue by election time, except that labor will not forget that for the first time in thirty years, California's prisons will be free of labor prisoners. No matter what the leadership of labor groups will decide, the membership will not forget.

These then are the reasons and explanations for our decision to fight this case openly. The course was set reluctantly, only when all patience and trust was exhausted, only when we felt that there was nothing to lose. We will no longer treat this case with secret conferences. The rank and file will know exactly what transpires.

~~XXXXXXXXXXXXXX~~ Governor Olson has acted in a manner which can only be described as cruel and inhuman to three men in prison. He has deliberately raised their

hopes, so as to ward off attack, and has just as deliberately ~~had~~ them. He has made and broken his promises with complete disregard to consequences. He has made this case a political matter. We intend to deal with it as such.

We hope and trust that you will agree with our decision and that your support to our case will continue in the same courageous manner that it always has.

Fraternally yours,
KING-RALEY-OWEN DEFENSE COMMITTEE

September 22, 1941

George Adwell, Director
Department of Industrial Relations
State Building
San Francisco, Calif.

Dear Sir:

In the past month, a series of trade union conferences have been held in San Francisco in connection with the King-Lansay-Comer case. These conferences were held on August 13, 14 and 27 and September 10, 11, 12. Attached is a list of the unions represented who attended these.

Reports were made to these conferences by union committees who had recently conferred with Governor Olson to prevail upon him to immediately release King, Lansay and Comer from confinement. The conferences also heard reports by the defense committee and union representatives relative to their activities in behalf of the three men, King, Lansay, and Comer, and proposed changes with Governor Olson in connection with the case.

These reports disillusioned many of the trade unionists who had expected that justice could be secured from Governor Olson for King, Lansay and Comer. They also provided convincing evidence of the necessity for the adoption of a new and more vigorous policy by the labor groups supporting the King-Lansay-Comer case.

Because you have long been active in the fight for the freedom of King, Lansay and Comer and because you are an accepted representative of organized labor in the State Administration, we believe that we have an obligation to review for you the facts of the case as we see them. It is our belief that these facts add up to a serious indictment of the Governor's position.

(1) **Voluntary, 1,40** - The Governor organized a large labor delegation that arrangements had been made for the parole board to sentence the men to ten years, with immediate parole. This action was to have taken place when the new signed came before the board. The Governor stated he would take action on the pardon application after their release.

On March 26, 1940 the parole board sentenced the men to twenty years - parole denied.

The Governor took no action.

cc: C. L. COOK JR. USA
 1201 NEW YORK AVENUE NW
 WASHINGTON 20, D.C. - Page 2

(2) May 31, 1940 - A letter was forwarded to the Defense Committee from the Governor's office, assuring the Committee that a decision would be made in June, 1940.

June, 1940 - no decision.

(3) August, 1940 - A conference was held between Governor Olson, George Bullock and Miriam Ticktin. At this time the Governor gave his personal promise that by the middle of October, King, Laney and Comer would have been visited and a decision would be rendered. Special emphasis was laid on separating the two inmates, and he assured the labor representatives that both actions would be taken. He further granted Miss Ticktin permission to relate his promises to the prisoners, after being duly impressed with the tragic effect a broken promise would have on the men.

By the end of October, 1940, Governor Olson kept one of his promises - he did visit King, Laney and Comer.

The other was not kept.

(4) November, 1940 - The Committee was informed by the Governor's office that it was customary for the Governor to set on many applications for Executive clemency at Christmas time and that we could expect that our applications would be included.

Christmas, 1940 - No pardon.

(5) February, 1941 - The Committee was informed by the Governor's office that a pardon hearing would be held in February, and the decision would be rendered either at that hearing or soon after.

The hearing was held February 20, 1941.

No decision was made.

(6) February 13, 1941 - The Governor's office transmitted to the Committee the following message from the Governor: "There will be no action on the King-Laney-Comer case for ninety days, immediately after which there will be a decision".

Ninety days later, June 13, there was no decision, no explanation.

Since that time, no date has been set.

(7) 1940 - During this entire year, the Committee was informed by the Governor's office that the Governor's lack of action was due to the necessity for his further study of the case. The Committee was also advised in off the record discussions with representatives of the Olson administration that the Governor's involvement in political matters during special sessions of the Legislature precluded any action in the King-Laney-Comer case.

THE GOVERNOR'S
THE MARYLAND-GENERAL CASE
SEPTEMBER 10, 1941 - Page 3

1941 - While the State Legislature was in session this year we were informed that threats had been made that impeachment proceedings would be instituted against the Governor in the event that he acted on the case. However, since June, the legislature has been adjourned.

Always the time was inopportune.

(8) August 27, 1941 - A trade union delegation consisting of Senator Shelley, Carroll Phillips, Alexander Atchison, Randolph Herriman, J. Thomas and V. J. Malone, met with the Governor. He informed them that the recent alleged attempt by one Paul Verlaine, to bribe parole board member Arch Lyons with \$10,000 to free King, Ramsey and Comer, was now the stumbling block and stated that no action would be taken until after the disposition of the indictment in the Verlaine affair.

The delegation properly pointed out that such matters are usually not cleared up in short order, that the customary postponements would prolong the Verlaine case indefinitely - and meanwhile King, Ramsey and Comer were rotting in jail.

(9) An informal conference was held between Senator Shelley, Mr. Malone, Mr. Melnikow and the Governor. It was designed to inform the Governor of the exact nature of Mr. Melnikow's involvement in the Verlaine affair, and to establish, to the Governor's satisfaction, the fact that no persons on the Defense Committee or any responsible labor representative, was in any way connected with it.

The Governor heard Mr. Melnikow's story. He did not indicate that he doubted it.

The Grand Jury had also heard Mr. Melnikow's story. It did not indict him.

Query: Must the lives of King, Ramsey and Comer be further jeopardized because somebody, somewhere, some time, has done some thing, in which the Defense Committee played no part, and of which the three rascals had absolutely no cognizance? There is no guarantee that a Verlaine affair won't occur again and again. Are we three men to be penalized every time?

(10) September 9, 1941 - At this informal conference the Governor said that no executive action would be taken until after the men were released by the parole Board.

That was the last straw.

For in the past few years, our men have been before the Board eight times compared with the customary once a year appearance. The Board has toyed with the case and postponed it time and again on one or another excuse. John Lee Clark, on record for parole, is scheduled to resign for a judgeship. A new appointee will require months to study the case. Mr. Lyons will undoubtedly refuse to act because of the reelection on his little pity on account of the tribe attorney. Mr. Tolson has publicly stated that the men should never be released and is on record for life imprisonment.

TO: GRACE PIRANI,
RE: KING-RAMSEY-COMER CASE
SEPTEMBER 18, 1941 - Page 4

Now we are told that we must wait for action by the Parole Board - action which obviously will never be forthcoming.

The nervous tension of repeated fruitless appearances before the Board has taken its toll on the three prisoners. They have indicated that they will refuse to make further parole applications. Who can blame them?

Who can blame them, especially in the light of the fact that the Governor told the clemency petition that the men have already served more time than they should have, and rightfully ought to be out of prison now?

Those are the facts. A glances at them is sufficient to explain why we have been under fire in many quarters for continuing, after each successive failure, to place our hopes in the Governor.

You will understand why we did so. We had confidence in the Governor. We trusted him.

We were pleased with his outstanding record as a State Senator. We supported him in his campaign for Governor.

Labor was appreciative of some of his actions as Governor. He freed Tom Rooney. He fought for measures which were beneficial to Labor and the people. He performed other services, such as his recent veto of the "hot-cargo" bill, which had led us to believe that our hopes were not misplaced.

You will recall that during the last National Convention of the Democratic Party, the Governor was out of the state and Lieutenant Governor Patterson occupied his position temporarily. A spontaneous move developed among conferring unions to urge the Lieutenant-Governor, who was already publicly on record for a pardon, to act immediately to free King, Ramsey and Comer but the Committee promptly sent a wire to the Governor informing him that it had no connection with the move. The men in prison, particularly, felt that they did not want and had no need of a "knock-door" release. Olson was Governor. Olson would do the right thing, the just thing. They preferred to put their trust in the Governor's sincerity and good will - at the cost of their own freedom.

That was but one illustration, among many, of our confidence in Governor Olson. We have hesitated to believe that he would betray that confidence.

But, quite frankly, today we have our doubts.

Labor has always realized that the final decision on whether or not King, Ramsey and Comer remain in jail or take their rightful place among free men rested not with the Parole Board, but with the Governor himself. Reluctantly we have come to the conclusion that if he cannot be depended upon to strike a blow for justice and a fair deal, then we must go to the rank and file with the facts as outlined above.

So long as Governor Olson refuses to do what is right, then we must take to Labor, Labor's cause.

King, Ramsey and Comer must be freed. Now

Despite our reluctance to face it, it is becoming apparent that King, Ramsey and Doerner are still in prison because the fact of their freedom has become entangled in a web of political intrigue. That makes the Governor's failure to act even more tragic in the fact that keeping them behind bars is unsound politics. The Governor has lost and will continue to lose strength by his failure to free the men. Certain facts are obvious:

(1) The people and interests who oppose freedom, and who seek to weaken and destroy the democratic rights and liberties of the American people, have been, are, and will be opposed to Governor Olson. They always have and will continue to do all they can to keep him from office, no matter what his actions in this case may be. We are, of course, not unaware of the degree of courage it would take to invite renewed attacks by enemies so powerful as these. But we had always believed the voter to be endowed with more than the usual degree of courage.

(2) Had this case been disposed of years ago, it would have caused a comparatively small political ripple. The longer the delay, the more of an issue it becomes. The quicker the case is disposed of, the less unfavorable reaction there will be.

(3) The workers of organized labor are always more emotional and responsive to an issue involving their leaders in prison. This is well borne out by labor's unanimous support of Tom Jones. Unless a solution is found soon, this case must, of necessity become one of the vital issues in the labor movement, especially in the pro-union section. And, whatever decision is made regarding future political support, one thing is certain: this case will be given important consideration.

(4) There is no legislature in session now, no legal technical matters to hold up action. The Governor is thoroughly acquainted with the facts and has stated to the newspapers his conclusions regarding the flimsy nature of the evidence. He has stated that the men have already served too long in prison and should be free.

Now is the time to free them. If the Governor allows his decision to continue to hang fire, the case is sure to become involved in the state political election campaign. If he acts now, the latter will be a dead issue by election time, except that labor will not forget this for the first time in thirty years. California's prisons will be free of labor prisoners and Governor Bloom will be the name to remember.

We are confident that your support to our cause will continue in the same courageous manner that it always has.

Sincerely yours,

KEY-RUMSAY-OMMER DEFENSE COMMITTEE

INDEX -- Miriam Johnson

Alameda County District Attorney's office, 27
Alberts, George, 27-31, 51
American Civil Liberties Union, 8, 9, 13-16
AFL, 18-20, 32
 California State Federation of Labor, 18, 20, 34-35, 60, 75-80, 82-83
American Radio and Telegraphists' Association, 6
Anderson, George, 12, 20-24, 26, 54-55

Besig, Ernest, 14-15
Billings, Warren, 33-34, 79
Black, Elaine, 12
Bridges, Harry, 5, 7-11, 27-30, 42, 45, 48, 51-52, 77, 83
 Bridges's deportation hearing, 1939, 28, 41-42, 44-46, 52, 56, 81, 102
Brown, Gus, 1, 27, 29
Brown, Z.R., 3
Bryson, Hughie, 9
Bulcke, Germain, 10-11, 64, 83

California Legislature, Joint Fact-Finding Committee on Un-American Activities. See Tenney Committee
California State Federation of Labor. See AFL
Carse, Archie, 2-3
Catholic Worker, 13
Chowan, Paul, 82
Clark, John Gee, 36, 39-40, 46-47, 53-56, 67-68, 74
Coe, Lee, 42, 46
Communist party, 5, 8-11
CIO, 18, 20, 32, 76, 81, 83
 station convention, 1941, 14, 82
Connelly, Phil, 82
Conner, Frank, 4, 15, 27-28, 32, 37-38, 42-43, 48, 55, 63, 72-73, 78, 81, 84-92, 96-97, 100-101
corrections, 36-38, 69, 95-96
criminal procedures, 15, 27, 30, 57-58

Day, Dorothy, 13
Department of Penology, Advisory Pardon Board, 36, 39-40, 49-52, 59, 61, 84
Department of Penology, Board of Prison Directors, 47
Department of Penology, Board of Prison Terms and Paroles, 36, 40, 47, 49, 53, 59, 66-69

Dies Committee, 47, 61
Dinkin, Lillian, 17
Dinkin, Miriam. See Johnson, Miriam Dinkin
Dobbs, Lolly, 1
Douglas, Helen Gahagan, 33
Douglas, Melvyn, 33
Duffy, Clinton, 37, 59, 93, 99

Edmund, Phyllis, 97
Ehlen, John, 21-22, 54-55
Ennis, Edward, 85

FBI, 4
Ford, Gerald, 65, 70
"Free These Three," pamphlet, 46
Friedman, Leo, 24-26, 54-55

Gladstein, Richard, 26-27
Goldblatt, Lou, 10, 77
Goodman, Booth, 67-68
Grossman, Aubrey, 22-26, 54-55, 68, 70-72, 85

Halling, Bjorn, 10-11
Hardy, George, 19-20, 77, 82
Hargrave, Ben, 24
Harris, Myron, 55
Hoyt, Ralph, 70
Huberman, Leo, 18-19, 32, 46, 80, 83-84, 89-90

International Labor Defense, 12-13
International Longshoremen's Association, 2, 7-8, 16, 20
International Longshoremen's and Warehousemen's Union, 9, 62, 76, 82

Johnson, Harold, 4-5, 11-12
Johnson, Miriam Dinkin
 background, 1-3
 false charges by Communist party, 8-11
 joining the defense committee, 2
 San Quentin gas chamber experience, 38-39
 secretary of defense committee, 3, passim
Jones, B.B., 9-10

Kafka, Franz, 11

Kidwell, George, 19, 32, 35, 44, 47, 52-53, 68-69, 76, 82-83

King, Earl, 4, 13, 20-23, 27-30, 32, 34, 37-38, 40-48, 52-55, 63, 72-73, 78, 81, 84-85, 87, 89-102

King, Garfield, 44, 89

King-Ramsay-Conner Defense Committee, 1, passim

attitude toward parole, 48

closing the committee, 90

court challenges, 21-26, 31, 54-55

fund-raising, 16-20, 58-59

jury investigation, 57

publicity, 46

labor, Bay Area maritime, 1, passim

labor organizing, 2

Lacey, Joe, 21, 23

La Follette Committee, 44, 58

Landis, James M., 45-46

Liebowitz, Sam, 21, 25

Los Angeles Times, bombing case, 12

Lyons, Arch, 66-68, 73-75

Malone, Vincent J., 4-5, 7-9, 20

Marine Cooks and Stewards Union, 9

Marine Engineers' Beneficial Association, 6

Marine Firemen, Oilers, Watertenders and Wipers Association, 6-9, 16-17, 62

Marine Office Workers Union, 1-2

Maritime Federation of the Pacific, 2-3, 6-8, 19, 55, 58, 60, 62

Marshall Foundation, 19-20, 32

McNamara, Jim, 12-13, 92-93

Melnikow, Henry, 53, 73-75

Merriam, Frank, 31

Modesto Boys, 12, 48

Mooney, Tom, 9, 26, 31-34, 48, 54-55, 65, 72, 92

Mosk, M. Stanley, 35-36, 41, 54, 56, 59, 71

Murphy, Albert M., 72

Murray Phil, 18, 81

National Maritime Union, 6, 81

Nixon, Richard, 65, 70

O'Connell, Jerry, 20
Oldenberg, Gus, 7
Olshausen, George, 24-25, 54, 70
Olson, Culbert, 8, 14-16, 27, 31, 41-42, 47-48, 53, 55-56, 59-60, 62-74, 77, 83
Oppenheimer, J. Robert, 14-15

Patterson, Ellis, 32, 49-51, 54, 59, 61-63
Phillips, Wendell, 34, 77
Plummer, Clyde, 62
"Punishment Without Crime," pamphlet, 46

Ramsay, Ernest, 3-5, 13, 27-28, 30, 32, 34, 37-38, 41-43, 48, 52, 55, 63, 72-73, 78, 81, 84-102
Ramsay, Gwendolyn, 18, 84
Rathborne, Mervyn, 20, 48, 77-78
Reagan, Ronald, 17
Resner, Herbert, 22-23, 26, 36, 54-55, 67-68, 70-72
Robertson, Cora, 33, 89
Robeson, Paul, 81

Sailors' Union of the Pacific, 6-7
Sakovitz, Ben, 29, 31, 51
San Quentin Prison, 37-39, 92-100
Schmidt, Henry, 3, 10-11, 77
Schneiderman, William, 4, 9
Shedd, Margaret, 13, 16
Shelley, Jack, 34-35, 44, 77-79, 82-83
Smith, Court, 37, 61
Sondergaard, Gail, 17
S.S. Lurline, 16
Stack, Walter, 4-5, 9
Standard, Lionel, 13, 17
Stone, C.F., 62
strike, maritime
 1934, 12
 1935, 12
 1936, 1-2
Sutherland, Ruth, 46

Tenney Committee, 8-9, 49-50, 52, 84-85, 88-89, 91, 94
Tenney, Jack, 8
Tuckler, Meir, 43, 86

Union Recreation Center, 1, 2

Vandeleur, Edward, 18, 76, 79-80
Vickerson, Julia, 56-57
Voice of the Federation, 13

Wallace, George, 27-31, 51, 56
Ward, Angela, 17
Ward, Estolv, 46
Warren, Earl, 31, 33, 40, 49-50, 52, 61, 65, 70-72, 89, 91
Wehr, Charles, 57
Williams, Claudia, 2
Williams, Dave, 1-2
Works Progress Administration, 1-2
Writers' Congress, 13

Yeremain, Paul, 64, 73-75

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Earl Warren Oral History Project

Peter Odeen

CAPTAIN OF THE POINT LOBOS

An Interview Conducted by
Miriam Feingold



Jerome

Capt. Peter Odeen
ca. 1955

TABLE OF CONTENTS -- Peter Odeon

INTERVIEW HISTORY	1
FROM SWEDEN TO AUSTRALIA	1
BECOMING A UNITED STATES CITIZEN	4
AMERICAN SHIPPING EXPERIENCES	5
CLOSE CALLS	7
SWAYNE AND HOYT STEAMSHIP COMPANY AND THE <u>POINT LOBOS</u>	10
THE SHIPBOARD MURDER	15
FURTHER REMINISCENCES	21
JOE HILL	22
APPENDIX I	24
INDEX	28

INTERVIEW HISTORY

Captain Peter Odeen was interviewed by the Earl Warren Project of the Regional Oral History Office in order to capture his reminiscences, as captain of the Point Lobos, of the King, Ramsay, Conner case, and to record his recollections of a lifetime at sea.

It was Oscar Jahnson, an inspector in the Alameda County District Attorney's Office, who first told the Earl Warren Project that Captain Odeen was still living in the Bay Area. The two had first met during the investigation of the King, Ramsay, Conner case, and had maintained their acquaintanceship over the years.

Interviewer: Miriam Feingold

Conduct of the Interview:

A single interview, which lasted most of the day, was held on September 26, 1972, at the home of Captain Odeen's daughter in Half Moon Bay, California. The Captain himself had, a short time before, moved into the house next door, and the interview was preceded by a tour of the luxuriant garden he had created in a few short months. There was an intermission during the interview for lunch, served by Joan Stevens, the Captain's daughter.

Captain Odeen, eighty-four years old at the time of the interview, was sturdy, white-haired, and remarkably spry. He spoke in a relaxed, informal manner, with a lilting Swedish accent. He had prepared for the interview by reviewing his collection of clippings and his statement to the district attorney's office after the murder of Chief Engineer George Alberts. A copy of the statement appears as an appendix to the interview.

Joan Stevens was present during the interview, and helped remind her father of events from his long and rich career at sea.

Editing:

Editing of the transcribed taped interview was done by the interviewer. Minor rearrangements of material were made to maintain continuity of the discussion without interrupting its informal quality. Captain Odeen very carefully reviewed the edited manuscript, making several corrections and minor changes.

Narrative
Account of the
Interview:

Captain Odeen opens the interview by describing how he left his native Sweden at seventeen aboard a British four-mast bark bound for Mexico. By stowing away on an American ship in Mexico, and hoboing on the Southern Pacific, he eventually arrived in Los Angeles. He shipped out for several years, and when one trip paid him off in Australia, he liked conditions there and stayed to become a citizen. After returning to the United States and sailing for three more years, he applied for and was granted American citizenship.

Captain Odeen relates how he worked his way up from ordinary seaman to captain, in which capacity he served the Swayne and Hoyt Steamship Company, owner of the Point Lobos, for eighteen years. He describes several close calls in which, by his efforts, his ship was saved, or a minimum of lives were lost.

Turning to the Point Lobos, Captain Odeen describes how he first became captain of the ship, and maps out the course the Point Lobos followed. He comments that in order to save money, Swayne and Hoyt had their captains also perform the job of piloting the ships into harbor.

Describing the murdered Chief Engineer George Alberts as "a regular ladies' man," Captain Odeen recalls that both Alberts and Swayne and Hoyt "had it against the union." Captain Odeen comments on several of the leading characters and events in the case. He relates how for several weeks before the trial actually began,

he and another crew member and their wives were kept aboard a motor cruiser on the Sacramento River by the district attorney's office, to keep them out of danger.

The Captain concludes the interview by reminiscing about his brief acquaintanceship with Joe Hill.

Miriam Feingold
Interviewer

28 February 1973
Regional Oral History Office
486 The Bancroft Library
University of California at Berkeley

[Date of Interview: September 26, 1972]

FROM SWEDEN TO AUSTRALIA

MF: I'd like to get a little bit of personal background and I wonder if you could tell me a bit about where you were born.

Odeen: In Sweden, outside of Stockholm on the islands.

MF: Oscar Jahnsen is from Sweden, too, isn't he?

Odeen: No, he was born in this country, I think. His parents were Norwegian. His father was a captain.

MF: How did you come from Sweden.

Odeen: Well I came in a British four-mast bark. We left Hamburg, Germany, round the horn, to Santa Rosalia, Mexico. That was in lower California. So we had an awful long trip, close to two hundred days.

That's the time I stopped smoking because we were out of tobacco. I haven't smoked since.

Mrs.

Stevens: How old were you then?

Odeen: I was about seventeen.

MF: What made you want to come to the United States?

Odeen: Well, conditions were much better over here. When we were in Santa Rosalia, there was an American schooner there. The crew told me the conditions of sailors and so forth, how good they were in comparison to the English ships.

Odeen: I tried to run away from the ship and I got arrested by the Mexicans and put back on the ship again. Then we lifted anchor, ready to sail. I thought I'd better leave, so I jumped overboard and swam ashore.

Mrs.

Stevens: How far away from shore were you?

Odeen: About a mile from the dock.

There was a little Mexican ship laying in Santa Rosalia that night and I stowed myself away on her. Next morning I was over in Guaymas. From then on, I took the Southern Pacific and I landed in San Pedro, in Los Angeles first.

I hoboed my way back and forth on the train. I got kicked off a couple of times. But I got to Los Angeles eventually I think. It took me about sixteen days.

Before I got to Los Angeles I was on a train, and the conductor, brakeman, he spotted me and talked to me and found out that I was a sailor and that I wanted to go back, so he gave me 50¢ when we got to Los Angeles. That paid my fare on the Pacific Electric to San Pedro.

When I got to San Pedro, I was walking on the dock there, and the harbor master approached me. He asked me if I wanted to ship. I said, "Yes." He said there was a German ship laying across on the other side there. I said, "I don't want to go on a German ship." He said, "The crew run away from that ship, for fruit picking." He said, "They're looking for a crew to take her to San Francisco."

So I got the job on her. Take her for the run, they called it, just to steer. So we went to San Francisco and I got \$10.

After I paid my room rent in the Sailor's Home in San Francisco, I got to the Sailor's Union. They gave me a trip card and I shipped on the schooner James Rolph, after being three days in San Francisco.

Odeen: From then on I joined the union and sailed on Pacific Coast for two, three years. Then I went to Alaska in 1912.

When I came back from Alaska I shipped on an American ship and went to Australia. Conditions were better in Australia for sailors, so I got paid off in Australia and I stayed there for three years. I became a naturalized subject of King George.

Then during the war, the First World War, they wanted volunteers for the bridging train. I went with two of my buddies; we went to volunteer, and after the examination--I was the third in line--they took them and signed them. So when it came to my turn, he says, "The quota for this is full. Come back next week. We're starting a new regiment." "Well, I want to go with my buddies," I said. "No, sorry," he says, "we are full." "If you won't take me now," I said, "I won't go later on."

Afterwards I shipped on a ship and made a half a trip and I got paid off. The mate says, "I got orders to pay you off." "Why," I said. "I don't know," he said.

So I shipped on another ship with a mate I knew and made half a trip and paid off again. So at last I found out that they just wanted to force me to join the bridging train.

I tried to get a passport to get out of the country, and they wouldn't give it to me because I was naturalized. There was an American bark, the bark Albert. I went to the captain there and he needed some men, so I says, "I can't sign on before the consul because they won't give me a passport." "Oh," the captain says, "you go bring your things and go on board. I'll stow you away."

So I did, I went on board. We got outside Port William by the head, outside of Melbourne. The navy came on board and searched the ship, but they didn't find me.

Mrs.

Stevens: Where were you hiding?

Odeen: They stowed me away under the chain locker. Underneath the chain locker there was an empty space. Number one hold of the ship was empty and so they put all kinds of junk in front of it. So I layed in that space there for a day, till we got outside. We got outside and the navy left. Captain took me out. He said, "Now you can come up and sign on."

It took one hundred days from Melbourne to San Francisco. The ship was supposed to be going to Alaska fishing, but she came too late on account of the long trip that she made. We came to San Francisco just after the exposition closed.

Mrs.

Stevens: 1915?

BECOMING A UNITED STATES CITIZEN

Odeen: Ya. And then I stayed there, I entered the United States, then, legally.

MF: You entered the United States legally?

Odeen: Legally. I paid my head tax.

Mrs.

Stevens: What's a head tax?

Odeen: Well, I think it was six dollars, the head tax for coming in to the United States. Anyhow, I got my first papers and I sailed on the coast on different sailing ships in the lumber trade.

After I had three years discharges on American ships I went to get my citizen papers. A sailor could get his citizen papers on three years discharges on American ships, without passing any questions or anything.

Odeen: So I showed them my discharges for three years. The judge looked at the papers and he said, "Your name is Odeen?" I said, "Yes." He said, "You born in Sweden?" He said, "Subject of King George? Great Britain? Now you want to be an American?" He says, "How is that? How many more countries do you want to be naturalized in?" So I told him, "As long as the country gives me a good living, and conditions are good, I like to become a citizen." He said, "That's right, my boy," the judge said.

AMERICAN SHIPPING EXPERIENCES

Odeen: So after I got my citizen papers, I studied for a second mate's license and got my second mate's license. I joined the Pacific Steamship Company as second mate, and sailed in different ships with them. They kept on changing me from one ship to another. I didn't like that. I wanted to go on the ship company where I could stay one one ship.

I was working for the Pacific Steamship Company at that time on one of their docks as stevedore foreman, loading a ship. On the other side of the dock there was berthed the S.S. President Hayes, a large American "502" they called it. She carried passengers and she was bound for South America.

I went up to the port captain and I says, "I've got a second mate's license. I'd like to get a job on one of your ships." "Well," he says, "we only promote our officers from our men, sailors, bosons, and so forth. But," he says, "we've got a boson's job on that ship." He says, "If you want it, you can have it." So I said, "Okay."

So I told Pacific Steamship Company that I was through with them and I shipped as boson on the President Hayes. We went up north and loaded and back to San Francisco and by the time we come back to San Francisco, I got the third mate's job on the President Hayes.

Odeen: That was one of the first Swayne and Hoyt ships. I sailed in all their ships for about eighteen years, until the company dissolved and sold out their ships.

Then I got a job with Alcoa Steamship Company and I sailed with Alcoa for about a year, till they made me port captain in New York. After a year in New York they sent me to San Francisco to supervise the building of three ships at the Union Iron Works in San Francisco.

Then after them ships was through I went to Wilmington where we constructed six ships, and two more ships over in Long Beach.

Then I was put in charge of the Alcoa office in San Francisco until the Korean War ended, when they transferred me--

Mrs.

Stevens: That was World War II, because we moved to Alabama in 1946.

Odeen: World War II, ya, that's it. Then they sent me to--transferred me to Mobile where I was superintendent for them until 1953.

They sent me to Sweden to supervise the building of three ore carriers. I stayed in Sweden, my home country, for almost three years with my wife, and stayed there till two years after my retirement age. On account of my age, I was retired at sixty-seven years old. I've lived in Glen Ellen [California] until 1972 and then I moved after my wife's death in 1972 to Half Moon Bay [California], where I am living the life of Riley.

Well, that's part of my story.

CLOSE CALLS

Mrs.

Stevens: Those fellows that joined the army in Australia, didn't they get killed? Those buddies you would have gone with if they'd accepted you?

Odeen:

The fortunate accident of being refused to join the Australian volunteers. Two of my shipmates that joined it, they trained in Melbourne for a couple of months and then they were shipped to Turkey. While making a landing at Yalipolis, there, the whole regiment got killed. If I had joined it, I probably wouldn't be here.

MF:

That's a funny turn of fate.

Odeen:

Yes, I've had lots of close calls.

Mrs.

Stevens: Yes, I remember your telling me about the time your ship was wrecked.

Odeen:

You mean the Governor? Oh, I was boson on the Governor when she got rammed and sunk off Port Townsend.

It was a peculiar accident, in one way. I was boson on the passenger ship Governor of the Pacific Steamship Company. During the voyage up, the chief mate told me to clean up all the reserve lights that operate from an emergency dynamo in each passageway, boat deck, and so forth. So I cleaned them all up, we rescrewed them, cleaned them up and put them back.

After I was through cleaning them, I told the deck engineer to turn on the emergency dynamo, so we'll know if all the lights burn. He did and he told me, he says, "I might as well show you how to start that dynamo." He took me down in the engine room on top of the boilers and showed me how to turn on the steam. After turning on the steam you had to go to the dynamo on the top platform and turn the flywheel--that was an old fashioned dynamo--and that started the emergency lights.

Odeen:

So, by the time we arrived in Victoria--that was the first call after San Francisco--that evening we left Victoria around nine, ten o'clock, bound for Seattle. While off Port Townsend, during the night, there was a collision. One of the West ships, the S.S. West Hartland--she was lumber loaded, outbound--she collided and hit the Governor right midships, on the port side of the engine room. Flooded the engine room and turned out all the lights.

We all went up on the boat deck, and the boat deck was dark. The passengers were all excited, getting the boats ready. The mate says, "What's the matter with the engineers, they don't turn on the emergency dynamo." So I told the mate, "I know how to turn on the dynamo." So the mate told me, "Well, go down and turn them on."

I went down the emergency escape from the skylight on the boat deck right down in the engine room, on a rope ladder. Believe me, I was scared. The steam and water [were] splashing. Well I crawled on top of the boiler and I turned the valve and went back to the dynamo and turned the flywheel over, and the lights went on.

I went up on the boat deck and assisted them all in launching the lifeboats. Probably due to that the loss of life was much smaller than it would have been.

About seven men got killed. Two engineers were killed right in the engine room, and an oiler. The messboy went back in the glory hole, the messboys' quarters. Used to have lots of gambling and games so there was money around and he was going to save it, but he never came out. Then an old fellow, a passenger who was taking care of a couple of race horses, he went down to the race horses on the main deck and he never came up.

Two girls of a mother of a fellow from Port Angeles got killed right in the state room in their bunks. Two kids. The peculiar part about it was that, that woman wanted to get off in Victoria and

Odeen: take the ferry to Port Angeles where they lived. The immigration officer wouldn't let them get off. So, on account of that them two kids got killed. The mother was in a lifeboat. While lowering the lifeboat she jumped back on board while passing the deck on which the children's cabin was, and went down with the ship.

Mrs. Stevens: Those were the only passengers that were killed?

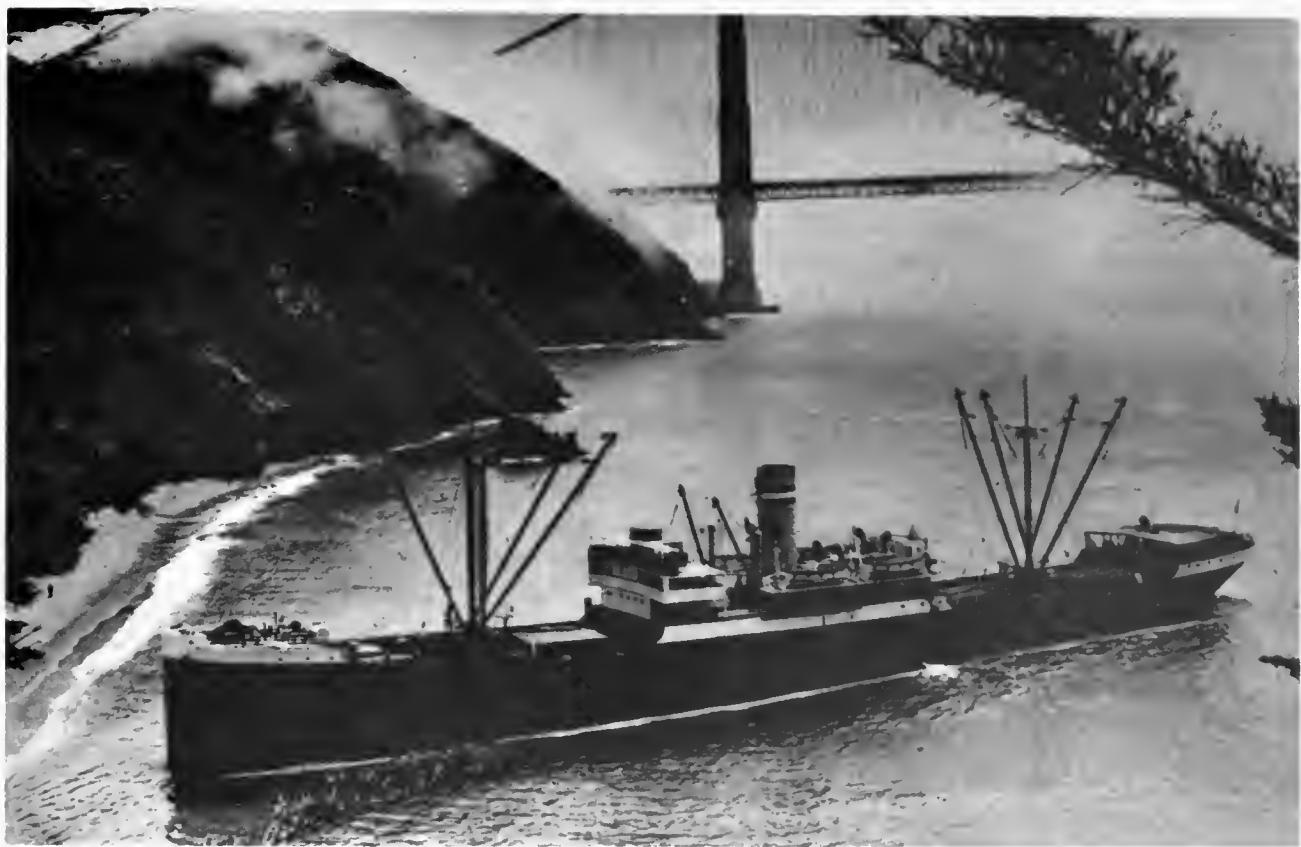
Odeen: There was no passengers killed except those two kids and that woman, their mother. Well, that steerage passenger that was taking care of the horses. We saved all the rest of them.

MF: Then you had a problem with the Point Lobos, too, didn't you?

Odeen: I was inbound during one of the voyages of the Point Lobos from New Orleans, loaded. Come in by gyro-compass courses. I was approaching Point Diablo which was supposed to have a horn, which wasn't at that time in operation, warning me. Came, on account of the current was probably set too close. Through the fog I saw the rocks so I hauled her out, but I was too close, and some of the rocks ripped a hole in the number one port side. So the ship started to go down by the head. I thought, "I better see if I can beach her."

I knew of a sandy spot, the only sandy spot that there is between Point Diablo and the Golden Gate Bridge. I found the spot in the fog and beached the ship there and held it there, steaming slowly in, and against the sand, and held it there. Divers came down later from the company, sent by the company, and put a temporary patch over the collision holes.

They said they were finished with her--she was supposed to go to dry dock with tugs. But the patch didn't hold and the ship started to go down by the head. I left the tugs and steamed full speed through the Bay to the Oakland Estuary into Moore's dry dock. It just happened to come in just before the ship was too deep to enter.



The S.S. *Point Lobos*, beached on a sandy shelf in San Francisco after it struck a rock in heavy fog in June 1939.

Mrs.

Stevens: They used to call that Odeen's beach.

Odeen: After the investigation of the record charts of the gyrocompass, it was found that the gyrocompass was at fault. I was exonerated by the inspectors of all blame.

MF: Was this before or after the murder?

Odeen: I think it was afterwards.

Mrs.

Stevens: I think it was afterwards. I think I remember driving out to Land's End to see the ship on the beach, and at the time of the murder we didn't have a car.

Odeen: I think it was after the accident.

MF: What finally happened to the Point Lobos? It was sold to Greece?

Odeen: She was sold to the Greeks. The company sold all their ships. Then I was out of a job.

MF: And the Point Lobos sank, did it, during the war?

Odeen: The Point Lobos was afterwards torpedoed after she was sold to the Greeks.

Mrs.

Stevens: This was during World War Two.

SWAYNE AND HOYT STEAMSHIP COMPANY AND THE POINT LOBOS

MF: When did you first sail with the Point Lobos?

Odeen: Well, I couldn't tell you exactly. I was captain of the Point Brava, I think. I came in from a Gulf [of Mexico] trip to San Francisco, bound north. We stopped in San Francisco and the port captain come and says, "You better pack your things, captain. You're going across the dock to the Point Lobos. The captain died a couple of days ago, and we're

Odeen: holding the ship. We want you to go and take care of her."

"Gee whiz," I said, "I just came in." That was in the morning. She was due to sail about one o'clock. I says, "I can't even get home, you know." "No," he says, "You better telephone your wife."

So I had to go to the office first to clear my payroll. Tell the ship [the Point Brava] I was going to leave her. So I went to the vice president, Tirey Ford. He says, "How goes it, Pete?"

"Goes like hell," I said. "Here I come in, in the morning, and my wife was preparing dinner and had invited a bunch of people and here I am going to leave."

"Oh, to hell with that," he says. "You leave when you're ready, tonight sometime."

So I went and told my wife, I said, "I'm coming home. I'm going to leave tonight sometime after dinner."

They held the ship to ten or eleven o'clock. I came down to the dock and told the engine room to have steam ready to go out.

MF: So you had been with Swayne and Hoyt, then, for a while.

Odeen: I had been with them about six, seven years.

Well, anyhow, when I got back to the ship, I told them, "All right, get ready. Let go the lines." I went up on the bridge and the ship went out. I had a pilot license for San Francisco Bay. So out she went. She was going to go south to Los Angeles and to the Gulf of Mexico and to New Orleans and so forth.

It was about twelve o'clock when we got out over the bar, by the light ship. The second mate came on watch.

Odeen: "Captain," he says, "the pilot is on board." I said, "Pilot?" "Ya," he says, "they got a pilot for you to take her out." I had already passed the pilot boat and everything. So I said, "Oh, go and wake him up. He must be sleeping. I didn't know he was there. The third mate didn't tell me anything about it." So I had to turn back, and steam back to the light ship to let the pilot off.

An old shipmate of mine was pilot, Captain Tarpey. He came up on the bridge, and he says, "I lost my teeth." While he had been sleeping in the bunk, he had taken his teeth out and put them underneath the pillow. They had fallen in behind, somewhere, and he couldn't find them.

"Well," I said--I told a cadet on the bridge--"go and see if you can find the teeth." By that time the pilot boat was alongside. The pilot went down in the boat and was getting ready to leave, and the cadet come over and says, "I found his teeth," he said. "Get a bucket," I said, and I blew the horn to tell the little boat to come back--and they take him out in a rowboat. So he came back and we gave him his teeth. It was so funny when he came up, you know. He couldn't hardly talk without his teeth in. I had been boson with Captain Tarpey on the S.S. Queen.

I stayed with the Point Lobos till they sold her and handed her over to the Greeks in Panama City, Florida.

You know my memory--well, I'm getting old you know. You want to remember just certain things that you can't offhand remember and a few minutes later it comes all back. That's a sign of old age, when you don't remember things so well.

MF: Well, you're remembering things very, very well. This is a long time ago.

Odeen: Well, that was a kind of exception.

MF: Had [George] Alberts been on the boat a long time?

Odeen: Yes, I think he had been quite a while on that ship.

Odeen: She was one of two ships that Swayne and Hoyt had that carried passengers. The Point Lobos and the Point Ancha. They were kind of their star ships, the two best ships that they had. They had converted them to speedier--to mail carriers, you know. They had turbines. They were reciprocating engines. They added a turbine in each one, for the exhaust steam to give her a couple of more knots speed. They had the mail contract, which was more of a joke. They could send the mail much quicker than by our ships.

Mrs. Stevens: The mail to Mexico these days isn't very fast.

MF: Where did the Point Lobos sail most of the time?

Odeen: She sailed from the Pacific Coast to the Gulf through the Panama Canal. We stopped in Colombia, then we went down to Curacao, Jamaica, Mexican ports, Tampico, Port Mexico, Salina Cruz, then all around the Gulf: Houston, Port Arthur, Beaumont, New Orleans, Tampa. Then we used to go back and start, after we discharged and start loading in New Orleans, back at Mobile.

We loaded lots of pipe and stuff in Mobile and general cargo that came down the Mississippi on the barges. We took the general cargo down the Pacific Coast.

We never got a long stay anywhere. When we came to San Francisco after about two and a half months, we got a day and a half, two days at the most. Then up north and discharge the rest of the cargo and start loading. We went up as far as Powell River, Canada, Vancouver, and all around Seattle, Tacoma, Bellingham--loaded lumber there--Columbia River and loaded lumber and discharged, and back again. It was just continuous going. They never kept us in port long enough anywhere. They said ships don't make any money in port, they make money at sea.

I got my first ship with Swayne and Hoyt. I started with them as a boson on the President Hayes. I went up north. I had my second mate license

Odeen: already, but I didn't have a job. So I took a boson's job on her and went up north and when I came back to San Francisco, I got the third mate's job, and I made a trip on the President Hayes down south. That was the year that President-- what's his name that died in San Francisco?

MF: President Harding.

Odeen: He was supposed to make a trip with us from San Francisco to the [Panama] Canal. He died in the Palace Hotel.

Well, anyhow, the president was supposed to take a trip with us and we had fixed this ship up special and everything. Captain Allain, he was skipper on the sister ship of the President Hayes. I was on the Hayes. We met her in Point San Lucas and we changed skippers there at sea. They had got permission from the Coast Guard to do that, and we waited for the other ship to come in. One skipper left and the other came on board. The other fellow had been away for about three months. He had to go on another three months trip.

MF: Was there any organization of ships' captains or a union or anything like that?

Odeen: Yes, there was. The Masters, Mates and Pilots. The engineers had an organization the same as is still in effect now.

MF: The Marine Engineers Beneficial Association?

Odeen: Swayne and Hoyt, they didn't recognize them, although most of the men belonged to it. They didn't recognize their salary scale, and so forth.

Swayne and Hoyt, they wanted all captains to have pilot licenses so as to save pilot fees.

MF: Boy, they really knew how to pinch pennies, didn't they?

Odeen: I had pilot's licenses for pretty near every port in the Pacific Coast and in the Gulf. But they

Odeen: paid us small fees for every port we entered. Of course, you know, it was nothing to compare with the fees that they saved.

In New Orleans, we got \$25 for taking the ship from the Gulf to New Orleans, which is over a hundred miles, which probably would have cost them according to tonnage and so forth, around four or five hundred dollars.

The salaries them days for the captains was not very high. Engineers neither.

MF: What was the salary like for a captain?

Odeen: I think at that time it was \$250. I got about \$25 more for being on a passenger ship. But then we made in pilotage fees, we probably made almost as much as the salary. In comparison to what pilots get now, it sure was a low wage. It was in all Pacific Coast ships the salaries were very low because there was an oversupply of men.

THE SHIPBOARD MURDER

MF: Getting back to the Point Lobos, what was George Alberts like? What kind of person was he?

Odeen: He was personally very nice to deal with. As far as socially, he was a regular ladies' man. Charmed the ladies that were passengers. But he was kind of rough with the crew.

MF: He worked them hard?

Odeen: Well, he expected them to do their job. He had it against the union; that was the evidence. The company had told us they didn't want us to hire the men from the union. You could have union men aboard but you weren't supposed to go to the union hall and call them. As far as my department, the deck department, I didn't follow that rule of the company. I went to the hall myself and I ordered

Odeen: the men. I always had union men on board, although we didn't pay union wages.

The union figured that as long as they got union men aboard that they could kind of get ahold of it. I never had any trouble, very pleasant relations with the Sailors' Union. The engineers, that was different. They were always fighting about that the chief didn't want any unions on board.

The union, you know, they wanted coffee time and special hours and so forth. He didn't grant them, I guess. That may be one of the reasons that they got against him.

I never had any feeling about the [Marine] Firemen's Union. Of course, that wasn't our department, although I was over the whole ship. The deck department was my work. I left it to the chief [engineer] to do his hiring.

MF: Was there a lot of trouble with Communists in the union at that time?

Odeen: Not--I wouldn't say so. Communists, that wasn't so open at that time. If it was, it was more underground. We never heard any mention about Communists, or anything much, in the ship department.

They claimed afterwards, after the trial, that it was all a fixed trial, but as far as I'm concerned, I think it was a fair trial. The jury was only out about four hours. If there had been some question in their mind about that they wouldn't have been that quick about deciding. They gave them five years to life.

The Alameda [County] detective department was really efficient.

MF: Could you tell me the story again of one of the ways they broke the case? You mentioned that one of the steward's rooms was right next to the room of Albert Murphy, assistant secretary of the Marine Firemen's Union.

Odeen: I was told, and I don't know if that's a fact, I believe that one of the detectives of the Alameda department, Alameda County department, that was under the district attorney, they had the investigation. They said that one of our mess boys that was discharged, he got connected with the [Marine Cooks and] Steward's Union and that he had the room next to--in the hotel--next to Murphy. He overheard through the wall, or somehow, different conversations and heard that there was a telephone call from Corpus Christi from one of the fellows asking for to send them money, more money. I believe that's what he told the detectives, and they got hold of Wallace. They said that he was just boarding the train for Mexico.

That's about all I know about how they broke that case. I imagine that the fellow that helped most was the fellow in the steward's department.

Mrs.

Stevens: Was he on your ship?

Odeen: Yes, he had been messman, saloon messman, so he naturally overheard lots of the conversations and everything on the ship and the engineers, too, and so forth. He looked after the rooms.

MF: Didn't you have some trouble with him on an earlier voyage in Panama, where you had to bail him out of jail?

Odeen: You mean that messboy? Possibly, but I don't recollect. That was so many years ago.

It don't take much to get arrested in Panama, you know. He had some money, and he couldn't get some money out, so they just arrested them because they knew that the ship needed them to sail with. Lots of them were just phoney cases. They just arrested people to get the fines. That happened every trip. I don't recollect that this messman was involved in anything down there.

MF: Did you know Frank Conner at all?

Odeen: Well, slightly, naturally. He had been on the ship for a little while, dishing money out in different ports and so forth. He seemed to be a kind of quiet fellow. I didn't know whether he was a union man or not. I presumed he was. Apparently he was the "finger man," pointed the chief out to Wallace and the other murderer.

Mrs.

Stevens: What was his job on the ship?

Odeen: He was oiler and watertender.

MF: I'd like to get a couple of the things that you said before, on tape. Could you tell me the story again about your being fingerprinted, and how Earl Warren helped straighten that out.

Odeen: After a day or so at Encinal Terminal the detective department wanted to fingerprint everybody on the ship. So they requested me to be first in having my fingerprints taken as an example that I wasn't scared. I had my fingerprints taken and the mates came afterwards, and everybody volunteered then. Probably they thought that they weren't guilty, so it was all right.

Well, after the trial we forgot all about the fingerprints. A couple of years afterwards, I got a notice from the navy to explain how--I was lieutenant commander in the naval reserve at the time--how it was that I was connected with a murder. They had found my fingerprints in Washington.

I got quite mad about it and went up to Earl Warren, who was at that time the attorney [general] for California. Went up to his office in the state building in San Francisco. I showed him the letter and says, "Here, I'm accused of murder, by the navy."

Earl Warren got quite mad about it and telephoned to the chief of police of Alameda and asked them what kind of a department they were running that they didn't cancel any fingerprints after the case was solved. So I got a letter from the chief [of police] and also a letter from Earl Warren to the

Odeen: effect that I wasn't guilty of anything and that the case was solved. I had a copy of that letter sent to the navy to clear myself, and all the rest of them were also cleared.

MF: You were also telling me about what happened when they brought you back for the trial and the trial had been postponed.

Odeen: The trial was to open at San Francisco. Well, my ship was in Tampa, Florida. I got a telegram from the company to come back right away to San Francisco for the trial. So I left the ship in Tampa, Florida and came back to San Francisco. By the time I got back to San Francisco, the trial was postponed for three or four weeks, or whatever it was.

The Alameda [County] District Attorney's Office asked me what I was going to do during the time between the trial. "Well," I says, "I want to stay with my family in San Francisco." "On account of the labor troubles," they said, "you being the star witness, we don't want you around San Francisco." "Well," I said, "What are you going to do about it?" "Well," they say, "How about taking a trip on a motorboat," that they hired. I said, "That will be all right, if I can take my wife along."

So they hired a motor cruiser with an engineer on it. Myself, my wife, and the second mate [Joseph Jackson] and his wife went on a trip down the Sacramento River delta, till the next trial.

MF: How long was that?

Odeen: It was about three weeks.

MF: Were you there too?

Mrs.

Stevens: No. I remember that very well. They sent me to stay with someone. It was the first time I'd ever been away from home. That must have been around October, because it was the only time I had my birthday on Christmas. It was the only time in my whole life I had a green and red cake, instead of

Mrs.

Stevens: a black and orange cake. That's why I remember it. That would have been my sixth birthday.

MF: [To Captain Odeen] Do you remember any of the other people on the ship, like the first engineer, Roscoe Slade?

Odeen: I remember Slade very well, and [Joseph] Jackson. He was with me on the trip. Henderson, I recollect him. I recollect Matthew Guidera and Conner very well. Jackson and his wife were with us on the boat on the Sacramento River.

Slade, you know, he wasn't very friendly with the chief [engineer]. He wanted to quit just as we [the Point Lobos] were going to sail you know. I talked him out of it. I says, "It isn't very nice to wait for sailing day to quit." I said, "That's going to hurt your chances for any further advancement with the company." So he stayed.

But I'm pretty sure he wasn't connected with that at all, although it sounded like he had had a little tiff before.

This statement here. [Hands interviewer a typewritten statement] I don't even remember when I gave it, or who I gave it to, but I guess I must have given it to the district attorney's office and they gave me a copy of it.*

MF: It looks that way, because it's signed.

Odeen: That tells you better than my memory is.

*See Appendix I.

FURTHER REMINISCENCES

Odeen: [Shows interviewer his scrapbook.] Here is a picture of the first ship, the S.S. President Hayes.

MF: Oh, it was a Dollar ship?

Odeen: Yes, she was afterwards a Dollar ship. But she belonged to Swayne and Hoyt first. The President Hayes and some other president boat, they had a run down to South America.

There are some of the ships that I was in. There is Point Brava, I was in her.

MF: That was a Swayne and Hoyt boat wasn't it?

Odeen: Ya. I was captain of her before. You said something about the tug.

Mrs.

Stevens: Yes. Point Lobos had a collision with a tug. That was quite a bit after the murder.

Odeen: I don't remember. I don't think I was on at that time. Oh, that was before, before I joined. It was Captain Nielson on her when she had the collision with the tug.

Mrs.

Stevens: It was long after the murder.

Odeen: I have a hobby of collecting pictures.

Mrs.

Stevens: You used to keep scrapbooks when you were at sea, because I remember you used to bring me home completed scrapbooks, which you had done while you were away.



Mrs.

Stevens: You met Joe Hill, didn't you?

Odeen: From Mexico. And then we came to San Pedro. He shipped with me on the same ship, a German ship.

Mrs.

Stevens: And that was the trip to San Francisco from L.A.?

Odeen: From San Pedro to San Francisco. That's the first time I met him and after that I met quite a few times at San Pedro.

Mrs.

Stevens: What did he do on the ship?

Odeen: He was a fireman.

Mrs.

Stevens: He didn't make too many voyages, did he?

Odeen: No, it was just for two days, that he was on the ship, or a day and a half.

Mrs.

Stevens: You got to be good friends with him after that, didn't you?

Odeen: I met him quite often after that. He was a Swede, too. Them first fellows I met in San Francisco, him and another fellow. They introduced me to the Seamen's Union.

Mrs.

Stevens: You joined the Wobblies. Remember that? Grandma never wanted you to tell that.

MF: Were you in the Wobblies for long?

Odeen: No.

Mrs.

Stevens: Where was Joe Hill from in Sweden?

Odeen: He was from a town called Gavle. His name in Sweden was Hillstrom. He was a good violin player. He just worked enough to make a living you know.

Odeen: Just enough to get by, something to eat.

Mrs.

Stevens: He was more interested in the union organization wasn't he?

Odeen: I don't know. [We were] down in San Pedro. He told me to join them [the union]. That's about all I ever knew. I never attended any meetings so I don't know much about it. Usually you paid your first initiation dues and that's about the last I ever seen of them.

Mrs.

Stevens: Did you ever see him ashore once in a while?

Odeen: Yes, in San Pedro. He was living the winter there, or that's where he was always staying in the winter. Called "shacking" you know; you rented cheap housing. You could get an old house probably for about \$10 a month. Used to get four or five sailors that was ashore and rent a house there. Whoever have money buy most of the stores.

Mrs.

Stevens: Guess you had a pretty good time.

Odeen: Stew pot was going pretty near all the time.

Mrs.

Stevens: Is that where he played the violin?

Odeen: Yes. He played the violin there and mostly at his own room.

That's about all I have to say.

MF: Well, I'd like to thank you for a delightful afternoon.

Transcriber: Mary Millman

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INTERVIEW OF GENE. R. C. SLADE

"In regards to Mr. George W. Albert's Murder"

I boarded the San Francisco-Oakland ferry at 10:30 A.M., March 2nd., 1908, on the ferry I met Chief Engineer, George W. Alberts; he had with him a handbag and a cardboard box, used for suits, and his overcoat under his arm. While on the ferry he seemed in good spirits and told me that he had a good time last night, but was woken up early by a telephone call, also he said that he had been told by several parties that 1st. Asst. Engineer, Mr. R.C. Slade had been instigating trouble amongst crew and that they were trying to hold up the ship's sailing.

At 7th and Broadway in Oakland we got off the train and looked around for a taxi, there was one on 7th street at the station but another couple got that one ahead of us, so we walked up to Broadway and saw two vacant taxis, a dark green cab and a yellow cab behind him, we walked up to the yellow cab and got in while the driver was checking out on the phone, I saw two men get in the Green Cab ahead of us; I also recollect seeing that same green cab somewhere in Alameda.

We arrived at Embarcadero Terminal about 11:00 A.M., and drove right up to ship's gangway at Berth # 4. I carried Albert's parcel up the gangway and at the gangway we were met by Chief Mate, Mr. J. Henderson and First Assistant, Mr. R. C. Slade.

Mr. Henderson told us that we were ready to sail, but were 4 men short, I asked him who the 4 men were and First Assistant said they

one oiler, one firer and two wipers, I then said I guess we cant sail without them. I then gave Alberts his parcel and went up to my room and the Chief Engineer, followed by Slade, went towards Stbd side towards his room. I changed clothes in my room and went out on the dock around my room and towards the port side and was walking back and forth, when I saw two sailors, Streinz and Johnson walking towards ship on the long road from the gate along the warehouses and a little further down I saw oiler Buchanan with a parcel under his arm also coming towards ship, they all came on board, I also saw oiler F. Connor, go forward towards # 2 winches, with an oil can, where the 1st. Mate, with the Bos'n and some sailors were busy putting on # 1 strongbacks. I then went towards the starboard side to enter my room, when I met Slade coming up the stairs to my dock, he said, "I want to talk to you Captain", and I stepped into my room followed by Slade, he hesitated at door, unhooked door, came in and closed the door behind him, and said, "I want to quit, I had an argument with the Chief Engineer and he called me a dirty rat", or some words to that effect, I asked him what the argument was about and Slade said, "Alberts asked me who the men were that we were short and when I gave him their names, he said: I suppose that's the men that you told to stay ashore you dirty rat". I asked him what did he do then? Slade said, "I just left him and went into engineroom thru door in alloy-way". I told him then I'd pay him off, but that he was corioulsy delaying the ship and would hurt his standing with the Company very much and told him he better not quit now for his own sake, he said then he would stay to Seattle and speak to Mr. Colhaus, our Superintending Engineer, Slade then left my room; I walked out on my dock towards port side and walked around and after a few minutes went back to my room, when oiler Buchanan came to my room and said, "The 1st. Assistant sent me up, he

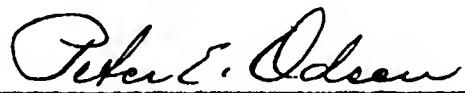
wants you to look at the Chief, somebody has worked out on the Chief". I immediately went down and went towards Chief Engineer's room, I found the iron door to the Engineer's alleyway on the Starboard side closed, which is very unusual, as that door is only closed during bad weather to keep water out of alleyway, when I opened iron door I saw Slade and another man standing at the other end of alleyway, I walked toward Chief Engineer's room and found screen door closed, but inside door was hooked forward to his bunk, Chief Engineer Alberts was in a sitting position on the floor, facing screen door, his head hanging with a large cut on the back of his head, I thought that Alberts was only stunned by a blow and told Slade, who was at the screen door then, to ring up for an ambulance, Slade asked me if I had a nickle which I gave to him, I then rushed out and went towards Portside and called to First Mate, Mr. Henderson to give me a hand and help me with the Chief. Then going back towards Chief Engineer's room I met the Steward, Leo Kurnbaster and told him to come along, we went back into the room and I started to clear off the sotces of the parcol and miscellenous gear, so as to place the Chief on it, in the meantime the Steward had lifted Albert's head and said, "The man is dead". I then felt his pulse and ear and saw the blood on the floor, and rushed out on the dock towards the telephone to notify police, I found Slade just talking to the Alameda Police, I took the receiver from him and told the Police to come down right away, as a murder had been committed, I then called up Mr. G. Fallent, our dock Superintendent and told him to notify Swayne & Hoyt Officials about the murder.

Page 4

When I was through phoning I went back to the ship and met the Ambulance just coming to the gangway with two Officers. I helped the Officers get the body on the stretcher, Mr. Henderson and Mr. Slade also assisted.

When we had the body out on dock, I said, "We had better lock the room". Myself and an Officer and Slade went to the room to look for the door key. I looked in Albert's vestcoat laying with the coat on his bunk, the overcoat was on the floor, when Slade said, "He used to have his keys on a leather key wallet and pointed towards the clothes locker door, which was open with the key wallet and keys in locker door. We then took out keys and locked door, giving keys to the Officer and removed body to ambulance.

Signed:



Peter E. Odson
Master S/S Point Lobos.

INDEX -- Peter Odeon

Alameda County District Attorney's Office, 16-20
Albert, ship, 3
Alberts, George, 12, 15
Alcoa Steamship Company, 6
Allain, Captain, 14

bar pilots, San Francisco Bay, 11-12

Communism, 16
Conner, Frank, 17
criminal procedure, 19

Ford, Tirey, 11

Governor, ship, 7

Harding, President Warren G., 14
Hill, Joe, 22-23

IWW, 22

Jackson, Joseph, 19-20
Jahnsen, Oscar, 1

King, Ramsay, Conner case, 15-20

labor unions, 14-16, 23

Marine Engineers Beneficial Association, 14
Marine Firemen's Union, 16
Masters, Mates, and Pilots Association, 14
Murphy, Albert M., 16

Odeen, Peter
American citizenship, 4
Australian citizenship, 3
captain of the Point Lobos, 10-15
career after 1936, 6
close calls, 7-10
emigrating to the U.S., 1
experiences as sailor, 2, 22-23
shipboard murder, 15-20

Pacific Steamship Company, 5
Point Ancha, ship, 13
Point Brava, ship, 10, 21
Point Lobos, ship, 9-15, 21
President Hayes, ship, 5, 13-14, 21

Queen, ship, 12

Sailors' Union of the Pacific, 2, 16, 22
shipping, Pacific Coast, 7-10, 13
Slade, Roscoe, 20
Swayne and Hoyt Steamship Company, 6, 10, 13-14, 21

Tarpey, Captain, 12

Wallace, George, 17-18
Warren, Earl, 18
West Hartland, ship, 8

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